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C-005 (Continued)

C-005

The financial assistance provided by ANC makes it possible for children who are deprived of parental support or care to enjoy the opportunities usually available to other children in the community. The assumption underlying the program is that, if a family circle is broken or incomplete or the parents are unable because of disability to give the children normal care, the measures **most conducive** to a child's welfare are to strengthen the home against financial lacks and losses, and to help the parent or relative to regain control over his family affairs.

The program enables the mother to remain in her own home so that her children will have the benefit of her supervision and care. It provides for supervision and care while the father works, if the mother is absent. It is intended to promote physical, mental, and spiritual growth and health by providing a satisfactory level of living, including:

1. Adequate food, clothing, and housing
2. Adequate health care
3. Opportunity to attend school during legal school age and vocational training for those who would benefit by it
4. Opportunity for participation in normal recreational activities and in community life
5. Social services, job placement, and family counseling as requested by the family.

The SDSW is directed in W&IC 1560 to provide for the administration of the program, uniformly in all counties of the state, as follows:

"The State Department of Social Welfare shall:

- (a) make rules and regulations for the proper maintenance and care of needy children;
- (b) make rules and regulations for the administration of aid to needy children;
- (c) inquire, at any time, into the management of any institution receiving aid under the provisions of this chapter, or into the management, by any county, of aid to needy children.

Such rules and regulations shall be binding upon the institutions and counties."

(Section Continued on Next Page)

C-005 PURPOSE OF AID TO NEEDY CHILDREN

C-005

Aid to Needy Children is a public assistance program financed by county, state, and federal governments. The primary purpose of the program is to provide family security and financial assistance for needy children, including unborn children, who are deprived of parental support or care. The California Welfare and Institutions Code, in Sec. 1500, defines a needy child thus:

"As used in this Chapter, 'needy child' means a needy person under the age of 18 years who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent."

ANC is an essential part of the larger social security program intended to foster and preserve basic human resources and family life. That program for California is embodied in the W&IC, which, in Sec. 19 of the General Provisions, contains the following statement:

"The purpose of this code is to provide for protection, care, and assistance to the people of the State in need thereof, and to promote the welfare and happiness of all of the people of the State by providing public assistance to all of its needy and distressed. It is the legislative intent that assistance shall be administered promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of race, religion, or political affiliation; and that assistance shall be so administered as to encourage self-respect, self-reliance, and the desire to be a good citizen, useful to society."

ANC is designed to keep children in a setting of their own family and to enable parents to continue responsibility for the family living plan. If it is not possible for a child to live with his own family, the program aims to provide the best substitute care in the home of a relative, in a foster home, or in a private institution. The Legislature made this declaration in W&IC 1503:

"It is the object and purpose of this chapter to provide aid for children whose dependency is caused by circumstances defined in Section 1500 and to keep children in their own homes wherever possible and to provide the best substitute for their own homes for those children who must be given foster care."

The intent of the Legislature is reiterated in W&IC 1507, which reads:

"The provisions of this chapter shall be liberally construed to effect its stated objects and purposes."

(Section Continued on Next Page)

C-010 (Continued)

C-010

2. Age. The child has not reached his 18th birthday.
3. Residence. The child has residence in California by virtue of his birth in California, by his physical presence in the state for one year preceding the date of application, or through residence of his parent or parents in California for one year preceding the date of application.
4. Real Property. The child and his parents do not together own real property with assessed value, less all encumbrances of record, in excess of \$3,000.
5. Personal Property. The whole orphan child does not, or the parents and one or more children in one family combined do not, own cash and securities in excess of \$600.
6. Transfer of Property. The child or his parents have not made a voluntary transfer of property for the purpose of qualifying for assistance.
7. Need. The child does not have sufficient income to meet his needs in accordance with the ANC standard.
8. Institutions. The child is not an inmate of a public institution or a public hospital, except for temporary medical or surgical care.

A complete statement of eligibility requirements is included in Chapter III. (W&IC 1500, 1520, 1521, 1522, 1524, 1525, 1529, 1560)

C-015 RIGHTS AND RESPONSIBILITIES OF ANC FAMILIES

C-015

The ANC law contained in W&IC 1500 - 1580 and the rules and regulations of the SDSW specify the eligibility requirements for the ANC program. These specifications remove from individual discretion the right to deny assistance to any eligible person, because all persons meeting the eligibility requirements are equal before the law and have a right to receive assistance under a uniform application of the law.

(Section Continued on Next Page)

C-005 (Continued)

C-005

The SDSW is further directed by W&IC 1511 to establish standards of care, as follows:

"Minimum standards of adequate care shall be determined by the rules and regulations of the State Department of Social Welfare, approved by the State Board of Social Welfare. The rules and regulations shall be distributed to the counties and shall be binding upon them."

Pursuant to this directive, the SDSW has established certain minimum standards of adequate care which include:

1. Clothing and food of adequate quantity and quality, including special diets if ordered by a physician.
2. Housing which allows adequate sleeping space, reasonable privacy, and complies with sanitary and housing regulations.
3. Attendance at school during legal school age for every child who is capable of benefiting by formal education; vocational training, or an opportunity to obtain a higher education, when indicated.
4. Normal recreational activities and participation in community life.
5. Proper supervision in the absence of the mother.
6. Provision for adequate health care. This includes physical examinations, preventive measures, correction of defects, hospital and out-patient service, periodic examination after contacts with tuberculosis and other infectious diseases.
7. A boarding home or institution meeting approved standards for the child in need of, or receiving, foster care. (W&IC 19, 1500, 1503, 1507, 1511, 1560)

C-010 ELIGIBILITY REQUIREMENTS

C-010

A child shall be considered to be eligible for ANC if all of the following requirements are met:

1. Deprivation of Parental Support or Care. The child has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent.

(Section Continued on Next Page)

C-020 SERVICE--AN INTEGRAL PART OF ANC

C-020

While financial assistance is the most common of all services in ANC, other services include the help an individual desires in establishing eligibility, in working out personal or family problems, and in utilizing community resources. An essential characteristic of these services is that the individual is free to accept or to disregard them, and that the county in offering them recognizes with him his freedom of choice to take them or leave them as he thinks best.

Services most essential to ANC families and which the county is responsible for rendering are:

1. Interpretation of the program to the applicant or relative and informing him of his rights and responsibilities under the program. This includes explanation of those services that are available in the county welfare department.
2. Help to the family in establishing eligibility.
3. Financial assistance, i.e., determining and meeting the economic needs of eligible children within the limitations of the law and rules and regulations.
4. Making available to homemakers who desire it, the information provided by the SDSW and other sources pertaining to balanced low cost menus and to economic buying of household necessities, clothing, and food.
5. Locating and making use of resources in the community or elsewhere. This means not only locating the resource and suggesting it but in many instances helping the family to understand the benefit or help it offers, and giving them practical direction in making use of it.
6. Counseling service which means, in general, helping families or foster parents to talk about their difficulties, to work out with them their own family plan, and perhaps suggesting to them alternative plans which they may choose. (Counseling is never the imposition of a plan upon a child or family.)
7. Case work services which will strengthen and prepare families for termination of ANC upon the 18th birthday of the last child, the return of the absent parent to the home, the recovery of an incapacitated parent, or the receipt of adequate income.

(Section Continued on Next Page)

C-015 (Continued)

C-015

Other established rights include:

1. A person acting on behalf of a child who believes the child meets the **eligibility requirements** has the right to make application for ANC.
2. A person who applies for assistance has the right to dignified and courteous treatment, and to believe that the information given by him in establishing eligibility will be kept in confidence.
3. An applicant has a right to full help from the county in establishing the child's eligibility for ANC.
4. A family or child on whose behalf assistance is granted has a right to receive the amount of aid to which they are eligible, to be paid in cash at the beginning of each month.
5. A family has a right to spend its ANC payment as it would money received from any other source and to be free to manage and direct its own affairs. All assistance paid shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise.
6. A family has a right of appeal for a fair hearing if it is not satisfied **with** the county's decision on, or lack of action regarding, the application or request for restoration, with the amount of the assistance payment, or with the discontinuance of assistance.
7. A person receiving ANC has a right to live wherever he chooses within the state, without forfeiture of assistance because of that choice.

Some of the responsibilities of applicants or relatives of a child on whose behalf application for ANC has been made or ANC is being paid include:

1. The applicant is responsible for providing all information in his possession necessary to establish eligibility.
2. A family has the responsibility for keeping the county informed of all changes in its circumstances.
3. A family has the responsibility for utilizing the benefits of ANC in a manner which will be conducive to eventual self-support.
4. A person who by false statement, representation, impersonation, or fraudulent device, obtains assistance for, or on behalf of, a child shall make restitution of the amount of assistance received for which the child was not eligible. (W&IC 1505, 1506, 1551, 1560)

C-025 (Continued)

C-025

Any person requesting information as the authorized representative of the applicant or relative caring for the child or of the appellant in an appeal shall have written authorization from such person for release of information from the record. The period of time for which an authorization is effective is dependent upon its wording. An authorization to release information pertaining to "application, or assistance, or appeal" is effective until revoked, while an authorization pertaining to "my appeal" refers only to the appeal and automatically expires at the time of disposition of the appeal. The information to be released also depends upon the content of the authorization.

An authorization may be made for release of information to an individual, corporation, or association. The county shall honor such an authorization provided the person presenting it is identified, to the satisfaction of the county, as being the individual or a bona fide representative of the corporation or association.

If the applicant, relative, or appellant is present with another person, written permission authorizing release of information to that person is not necessary.

Information may be released under the following conditions also:

1. If it is requested by a public or private social welfare or health agency which:
 - a. As a part of its usual duties, makes social investigations for the purpose of rendering social service.
 - b. Maintains adequate standards for the protection of confidential information.
 - c. Will use the information only for purposes reasonably related to the purposes of the ANC program and the functions of the inquiring agency.
2. If it is requested for research purposes provided that such research will not result in the disclosure of the identity of the applicant, relative, or child.
3. If it is requested by a selective service board provided there is assurance of reasonable precaution to protect the confidential nature of records by that board.

(Section Continued on Next Page)

C-020 (Continued)

C-020

8. Case work services emphasizing management of the family budget within the ANC assistance payment, leading to self-sufficiency when income becomes adequate to meet the needs.
9. Case work services which will help parents and their children to attain for themselves the highest possible morale and security including the development and attainment of plans for eventual self-support. Such case work services will enable families to obtain for themselves the maximum benefit from community resources for their health, education, recreation, and general improvement of their circumstances.

No public official, agent, or representative, in carrying out any duties pertaining to ANC, may take charge of any child over the objection of either of the parents of a child, or of the person standing in the place of a parent to such a child, except pursuant to a proper court order. (W&IC 1502, 1560)

C-025 CONFIDENTIAL NATURE OF RECORDS

C-025

In order to protect from exploitation and embarrassment any applicant, relative, or child on whose behalf ANC is requested or paid, the county shall safeguard all information and records pertaining to such persons. Lists of persons receiving ANC shall not be disclosed or published. Applications and county records shall be confidential and shall not be open to examination for any purpose not directly connected with the administration of the program. This includes names, addresses, and information concerning the condition or circumstances of any persons from whom, or about whom, information is obtained, whether or not such information is recorded. General information, not identifiable with any particular individuals, such as total expenditures made, number of recipients, and other statistical information and social data contained in general studies, reports, or surveys of program problems would not fall within the scope of confidential material to be safeguarded.

Information shall be released upon the request of the applicant or relative caring for the child, or the designated agent of such person, except if the information requested was given confidentially by another person or pertains to another person not included in the application or assistance payment, unless that person's consent to the release of information is also secured.

(Section Continued on Next Page)

C-035 ORGANIZATION OF THE MANUAL OF POLICIES AND PROCEDURES -
AID TO NEEDY CHILDREN

C-035

The Manual of Policies and Procedures - Aid to Needy Children is one volume of the total Manual of Policies and Procedures which will cover, in separate volumes, all programs of the SDSW.

This manual is divided into chapters and subchapters as follows:

Chapter I. General Outline of the ANC Program

Chapter II. Application Process

Chapter III. Determination of Eligibility

General

Deprivation

Age

State Residence

Property

Income

County Participation

Federal Participation

Transportation of Needy Children

Certificate of Eligibility

Chapter IV. Payment of Assistance
(W&IC 1560)

C-040 SALE OF THE MANUAL OF POLICIES AND PROCEDURES -
AID TO NEEDY CHILDREN BY SDSW

C-040

Copies of the Manual of Policies and Procedures - Aid to Needy Children may be purchased from the State Department of Social Welfare, 616 K Street, Sacramento, for \$1.00, plus state sales tax. The price of one year's subscription to revisions (which includes Department Bulletins) is \$.60. Both prices are payable in advance. If a certified or cashier's check or money order is used for payment, it shall be made payable to the State Department of Social Welfare. (W&IC 114.5, 1560)

C-025 (Continued)

C-025

The county welfare department may receive a subpoena or other order from a court requiring that ANC records be produced. Unless it is readily apparent that the court order was issued for a purpose directly connected with the administration of ANC, counties other than Los Angeles, Sacramento, or San Francisco shall, immediately upon receipt of such order, notify the district attorney or county counsel, with the request that this officer take appropriate action to safeguard the confidential nature of the ANC record. Los Angeles, Sacramento, and San Francisco counties shall either telephone the local office of the SDSW who will arrange that the attorney general's office take action, or notify their district attorney or county counsel. (W&IC 115, 118, 1560)

C-030 MAINTENANCE AND PRESERVATION OF RECORDS

C-030

The county shall maintain case records containing all information regarding each child for whom application is made or who is receiving assistance, including the evidence on which determination of eligibility is based as certified on the Certificate of Eligibility, Form CA 201. If assistance is denied, the case record shall contain full information relating to any factor upon which the denial is based.

The case record shall contain the face sheet (unless a substitute plan has been approved by the SDSW), a social history, and subsequent narrative entries. It shall also include, in a uniform arrangement, copies of all forms completed in connection with an application and determination of eligibility, including the forms required for submission to the SDSW as well as those devised by the county, and copies of all correspondence. A copy of the Social Data Record Card, Form CA 230, is not required in the record. The Application, Form CA 200, and the Certificate of Eligibility, Form CA 201, shall be originals, certified copies, or duplicate copies.

The case record shall show that Notification of Action by the Board of Supervisors, Form CA 239, (or approved substitute form) was mailed to the applicant or payee, as required. If a copy of the form is not filed in the record, the date the form was mailed shall be recorded in the record, preferably in the narrative, but may be on the copy of the Certificate of Eligibility, Form CA 201, or on the copy of the Notice of Change, Form CA 232, retained in the case record.

The Application, Form CA 200; the Applicant's Affirmation of Eligibility, Form CA 206; the Certificate of Eligibility, Form CA 201, together with any documents supporting determination of eligibility; the Notice of Change, Form CA 232, and accounting records constitute permanent records. One copy each of such forms, documents, and records shall be preserved irrespective of the length of time assistance may have been discontinued.

If assistance has been discontinued for five years or more, the narrative record may be destroyed, upon authorization of the board of supervisor, if its content has been photographed in such manner that it may be reproduced. (W&IC 1560, 1562)

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C-115 (Continued)

C-115

of the juvenile court committed to the Youth Authority has been placed or is about to be placed on parole in a boarding home, the application may be completed by the parole officer of the Youth Authority and filed with the county of residence. The county welfare department may file an application for a child.

If children of the same parent are living in different homes, separate applications may be made for the group in each home, or one application may be made for all the children. (W&IC 1560)

C-120 PLACE OF APPLICATION

C-120

The application may be completed in the county welfare office, in the applicant's home, or in another place satisfactory to both in the presence of a representative of the county. (W&IC 1560)

C-125 COUNTY OF APPLICATION

C-125

The county shall accept application for any child living in the county. If the child does not have residence in that county, the application shall be forwarded, without delay, to the county of residence.

Example 1: A widow and her three children moved to County A one month ago from County B where they had resided for five years prior to the move. The mother now intends to remain in County A. The mother and children have residence in County A since the time they arrived in County A with the intent to reside there. Application is accepted in County A regardless of whether the mother has acquired the one year of residence required for county participation.

Example 2: A child is living with his grandmother in County A and application is made in County A. The child's father is living in County B with intent to remain there. The application is forwarded to County B, regardless of whether the father has acquired the one year of residence required for county participation by County B.

However, if county residence or non-county status has not been determined, the county in which the child is living may grant assistance until such determination is made. (See Sec. C-554, Payment of Assistance in Inter-County Transfers)

If the residence of the child is changed to another county after an application is signed but before the first of the month in which assistance is to be effective, the application shall be denied by the first county and a new application shall be accepted by the second county. (See Sec. C-409, County Responsibility in Transferred Applications)

If the residence of a child receiving assistance is changed to another county, transfer procedures shall be used, and the second county shall, if possible, take an application well before the date assistance is to be discontinued

(Section Continued on Next Page)

C-100 COUNTY RESPONSIBILITY IN THE APPLICATION PROCESS

C-100

The county's responsibility in the application process is to receive applications, to assist applicants in securing evidence of eligibility, to determine eligibility or ineligibility, and to authorize and assure issuance of payments to eligible persons. (W&IC 1550, 1560)

C-105 DEFINITION OF APPLICATION AND RESTORATION

C-105

APPLICATION

A request for ANC is considered an application when the Application, Form CA 200, has been completed, signed by the applicant, and filed with the county. (Application, Form CA 200A, from private institutions may be filed directly with the SDSW.)

RESTORATION

A request for ANC is considered a request for restoration if assistance for the same child has been discontinued by the same county within the preceding 12 months. (W&IC 1557, 1560)

C-110 RIGHT TO MAKE APPLICATION

C-110

The provisions of the ANC law define the eligibility requirements. All persons acting on behalf of children, including unborn children, who believe the children meet these requirements have a right to apply for the benefits. The county shall accept the application even though the children appear to be ineligible, unless the applicant does not desire to continue with the application. (See Sec. C-130, When Application Is To Be Taken)

Persons acting on behalf of blind children 16 years of age or over have the right to choose the type of assistance for which they will apply. (W&IC 1560)

C-115 PERSON MAKING APPLICATION

C-115

It is generally preferred that the person with whom the child is living sign the application. A parent, a guardian, a relative, or a person in loco parentis may sign an application for a child. If a child is in a boarding home or institution, the application preferably should be signed by the parent, the guardian, or the person responsible for the placement of the child. If a ward

(Section Continued on Next Page)

C-130 (Continued)

C-130

If application for ANC is made for an additional child in a family group while assistance for other children in the family is being transferred from one county to another, the application shall be taken by the second county.

The application for a child whose assistance is being transferred from one county to another should be signed in the second county prior to the date assistance begins, although assistance shall not be interrupted if such prior signature is not obtained.

Application prior to parole may be made on behalf of a child who is to be paroled from the California Youth Authority. (W&IC 1560; AGO NS891)

C-135 THE APPLICATION INTERVIEW**C-135**

At the time of the application interview or first inquiry, the applicant makes known the child's need for assistance. This is an especially important interview because the impression received by the applicant is carried over to future county relationships. The applicant may not know the exact nature or kind of assistance he is requesting for the child or may have erroneous preconceptions of the ANC program. This interview provides an opportunity for the mutual discussion of the child's needs and the assistance programs for which he may be eligible.

An understanding of the conditions of eligibility and the information necessary to establish eligibility is essential to the applicant. In addition, an understanding of the agency's responsibilities and limitations in carrying out the provisions of the law will help forestall future misunderstandings and make the process of determination of eligibility easier. The county should include an explanation that exploration of the facts concerning eligibility is a joint responsibility of the applicant and the county. There should be a discussion of information the applicant has at hand and agreement reached as to what additional information must be secured and as to whether the county or applicant will secure this information. The county should be careful to avoid placing more responsibility for establishing eligibility upon the applicant than he is able to assume.

The county should explain in the application interview the confidential nature of records regarding the applicant, the relative, or child on whose behalf ANC is requested or paid. Many individuals reveal information under the stress of dire need which they would not otherwise disclose. It may be inimical to the child's interest or to the public interest to have such information disclosed. Protection is provided not only through legal enactment but also by state and county regulations. (W&IC 118, 1560)

C-125 (Continued)

C-125

by the first county at the completion of the one-year period. However, if assistance is being paid on a noncounty basis by the first county, application shall be taken by the second county as soon as administratively possible.

If assistance for the entire family group is discontinued by the first county, subsequent to the family's change of residence to the second county, and restoration of assistance is requested, a new application shall be taken by the second county.

If the residence of the child is changed from a second to a third county before one year's residence is completed in the second county, the third county shall secure a signed application, if possible, prior to the completion of one year's absence from the first county. (W&IC 1550, 1560)

C-130 WHEN APPLICATION IS TO BE TAKEN

C-130

The Application, Form CA 200, shall be signed by the applicant at the time of the first inquiry (i.e., at the time that the applicant first makes known the child's need) unless the child appears to be definitely ineligible under the law, and the applicant believes that the child does not qualify for assistance, and the applicant does not desire to continue with the application.

If assistance has been denied, or if it has been discontinued for a period of more than 12 months, a new application shall be completed except in any one of the following instances.

1. If an application has been denied erroneously within 12 months (i.e., the county had information that the child was eligible but the application was denied because this information was misinterpreted or overlooked, or the application was denied before all reasonable sources of information as to eligibility had been exhausted).
2. If assistance is granted by the SSWB on appeal.
3. If assistance is requested for one or more children for whom assistance had previously been granted but whose assistance has been discontinued for more than one year while other children in the family have continued to receive assistance. In this instance, restoration of assistance may be effected by means of a Notice of Change, Form CA 232.

If ANC is requested for a child for whom no application has previously been made, or whose application has been denied, although other members of the family group are receiving ANC or the county is processing an application for them, a new application shall be taken for the additional child.

(Section Continued on Next Page)

C-140 (Continued)

C-140

Sections 2, 3, and 4. These sections list the conditions of eligibility under which the applicant believes the child qualified for ANC. Sub-items under these sections need not be designated.

Signature or Mark of Applicant. The applicant is to make his usual signature, either his true name or his alias. A woman is to use her own given name, not her husband's given name. An applicant who usually prints his name may sign his name in this manner. A typewritten name, a carbon copy of a signature, or a rubber stamp imprint is not an acceptable signature.

If the applicant is unable to sign his name, a mark (or a thumb print) may be used. In this case, two persons are required as witnesses. The form for the signature is as follows:

his
John X Jones
mark

Signature or Mark of Applicant

Witness to Mark

Witness to Mark

The above instructions regarding form of signature, etc., apply to signature on all forms which may be required.

Acknowledgment. The applicant's signature on the application shall be acknowledged under oath before the director or his representative authorized to take such acknowledgment. The date of such acknowledgment is the date of application. (See Sec. C-130, When Application Is To Be Taken)

If the person administering the oath is a witness to the mark, his signature must appear twice, once as a witness to the mark and again in the certificate of acknowledgment.

If the oath of an affiant or the affidavit of a person is necessary in order that a person may obtain charity or relief from an agency or department of the U.S. Government, State of California, or any political subdivision thereof, no fee shall be charged for the taking of such oath. (W&IC 1560; Gov. C. 6105)

(Section Continued on Next Page)

C-140 INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

C-140

The application form is the applicant's sworn statement that he believes the child or children for whom assistance is requested to be eligible for ANC.

The Application, Form CA 200, includes the points of eligibility on which the person making application for the child must give information to enable the county to start the investigation.

The application form may be filled out by the applicant or the county may insert the information as given by the applicant. In this latter instance, the form shall be read by or to the applicant before his signature under oath is affixed. The form shall be filled out either in triplicate, or one copy only may be made and two copies certified as true copies of the original. One copy of the application shall be given to the applicant at the time the form is signed.

State No. Enter the state number after assistance has been granted and the SDSW has assigned a number to the case.

County No. Enter the county number assigned to the application.

Former State Number if Reapplication, Transfer, or Additional Child. If ANC has previously been received for the same child or children, in the same or another county, enter the former state number (including the county prefix), if known. If the application is for an additional child in a family already receiving ANC, enter the state number of the family.

Name of Applicant. Print or type the full name of the applicant. Enter any aliases the applicant may have after the true name. A woman is to use her own given name, not her husband's given name. Initials are not to be used unless they are the only name of the applicant.

Relationship to Children. Enter the relationship (family or other) of the applicant to the children for whom application is being made; e.g., mother, aunt, guardian, probation officer, etc.

Address, City. Enter the complete mail address of the applicant.

Section 1. Names and Addresses of Children. Space is provided for two different surnames for cases in which application is made for children having a common parent but different surnames. If application is made for more than six children with the same surname and the children's given names are continued into the second column, the surname should be repeated in the second column. Enter the child's address opposite the given name of each child. Enter both the home address and the mail address if these two addresses differ. If the child is living in an institution, enter under "Address" the name and address of the institution.

(Section Continued on Next Page)

**C-145 DETERMINATION OF ELIGIBILITY AND RECOMMENDATION TO
BOARD OF SUPERVISORS****C-145**

Upon receipt of an application, the county shall make a determination of eligibility or ineligibility.

On the basis of the determination, a recommendation shall be made to the board of supervisors that assistance be granted or denied. If the recommendation is that assistance be granted, the recommendation shall also include an amount of assistance and a beginning date of payment. (W&IC 1550, 1560)

C-150 WITHDRAWAL OF APPLICATION**C-150**

An applicant may withdraw his application at any time prior to action by the board of supervisors. A request for withdrawal of an application shall be made upon the applicant's own initiative and in writing. Withdrawal may be made if the applicant believes the children for whom application was made are ineligible or for some other reason wishes the determination of eligibility discontinued.

The reason for withdrawal, if known, and the information secured during interviews shall be recorded in the county record in a manner which will be helpful in the event of a reapplication or a complaint.

Notice to Applicant Who Withdraws Application, Form DPA 8, shall be given or mailed to the applicant and a copy retained in the county record, except in counties in which the board of supervisors denies withdrawn applications. If a withdrawn application is denied by the board of supervisors, the applicant shall be notified of this action on Form CA 239, Notification of Action by the Board of Supervisors. Either a copy of the Form CA 239 or a notation of the date on which Form CA 239 was mailed to the applicant shall be retained in the county record. (W&IC 1560)

(Section Continued on Next Page)

C-140 (Continued)

FORM CA 200

C-140

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

APPLICATION FOR AID TO NEEDY CHILDREN

STATE OF CALIFORNIA

State No.

County of

County No.

To the Honorable Board of Supervisors:

Former State Number if Respiration,
Transfer, or Additional Child

I,

Name of Applicant (Print or Type Name in Full)

Relationship to Children

residing at

Address

City

hereby

make application for Aid to Needy Children for the following children who are under eighteen years of age:

1. Surname

Surname

Given Name

ADDRESS
Street and City

Given Name

ADDRESS
Street and City

.....
.....
.....
.....

2. Each child is deprived of parental support or care for one of the following reasons:

A. Death of parent B. Continued absence of parent from the home C. Physical or mental incapacity of a parent

3. Each child has residence in the State of California for one or more of the following reasons:

A. Physical presence in the State of California for at least one year immediately preceding the date of application.
B. Birth in the State of California.
C. Residence of parent or parents in the State of California for at least one year immediately preceding the date of application.

4. Each child is in need for the following reasons:

A. Child (ren) and/or parents do not own real property with an assessed valuation in excess of \$3,000.
B. Child (ren) and/or parents do not have cash and/or securities in excess of \$600.
C. No transfer or assignment of property owned by parents and/or child (ren) was made in order to qualify for Aid to Needy Children.
D. Each whole orphan does not own cash and/or securities in excess of \$600.
E. Child does not receive adequate support from parents or other source.

STATE OF CALIFORNIA

{ ss.

COUNTY OF

I solemnly swear or affirm that the statements made herein are true and correct to the best of my knowledge and belief and that I will notify the county authorities of any real or personal property transactions, change in financial conditions, marriage of any of the above children, or remarriage of either parent of these children, and of any change in address.

NOTE.—When applicant cannot sign his name, the
signature of two witnesses to his mark must
appear.

Signature or Mark of Applicant

Witness to Mark

Witness to Mark

Subscribed and sworn to before me this day of , 19

Name Title

Signature of person authorized to acknowledge an affidavit

Any applicant or recipient who is dissatisfied with the action taken upon his application, or with respect to the amount of assistance approved may appeal to the State Department of Social Welfare, 616 K Street, Sacramento, California. (Welfare and Institutions Code, Section 1551.)

An appeal to, or a request for a hearing before the Social Welfare Board shall be made within one year after the date of the action with which the applicant or recipient is dissatisfied. (Welfare and Institutions Code, Section 104.5)

C-155 BOARD OF SUPERVISORS ACTION ON APPLICATIONS

C-155

The board of supervisors shall grant or deny the application at the first meeting for consideration of such applications subsequent to receipt of the recommendation made to them.

The application shall be denied if any one of the following conditions exist:

1. Ineligibility on any point is established.
2. Diligent investigation of all reasonable sources of evidence of eligibility fails to establish eligibility.
3. The applicant's whereabouts is unknown and he cannot be located.
4. The applicant has established residence in another state before the determination of eligibility is completed.
5. The residence of a child is changed to another county after an application is signed but before the first of the month in which assistance is to be effective.
6. The willful refusal of the applicant to complete the investigation.

If application was filed for a family group in which some children were determined to be eligible and others were determined to be ineligible, the board of supervisors may grant assistance for the eligible children and at the same time deny assistance for the ineligible children.

If the eligibility or ineligibility status has not been determined for one or more of the family group, action by the board of supervisors may be withheld for such a child until a later date when the determination of eligibility has been completed. Only action pertaining to those children for whom eligibility or ineligibility has been established shall be taken. When eligibility or ineligibility of the remaining child named on the Application, Form CA 200, is established, the board of supervisors shall take appropriate action for this child.

If assistance is denied erroneously, the board of supervisors shall formally rescind its previous denial and the SDSW shall be notified of this action. The Notice of Change, Form CA 232, may be used to report the rescinding action. (See Sec. C-545, Corrective Payments)

If assistance is granted on an appeal to the SDSW following a denial, the board of supervisors shall grant the application in accordance with the decision of the SSWB.

Action of the board of supervisors is not necessary on withdrawn applications. (W&IC 1560)

State of California

Department of Social Welfare

NOTICE TO APPLICANT WHO WITHDRAWS APPLICATION

____ County

To:

Date _____

County No. _____

District _____

In accordance with your request of _____, Date _____,
that your application be withdrawn, no action has been taken on your application
for _____.

If there should be a change in your circumstances or you should again desire to
apply for aid, you have the right at any time to make another application.

Signature of County Worker

C-160 (Continued)

FORM CA 239

C-160

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

Notification of Action By the Board of Supervisors
Aid to Needy Children

COUNTY

To:

Date _____
 Children's Surname _____
 State No. _____ County No. _____
 District _____

The County Board of Supervisors in accordance with the State law and the Rules and Regulations of the State Board of Social Welfare acted upon your application for Aid to Needy Children as checked below:

Application granted effective _____ in the amount of \$ _____
 For _____ Write in names of children

Application denied _____
 For _____ Write in names of children

Reason for Action: _____

The County Board of Supervisors adjusted the grant of Aid to Needy Children received by you as checked below:

Aid was **Decreased/Increased** effective _____ to \$ _____
 For _____ Write in names of children

Aid was discontinued effective _____
 For _____ Write in names of children

Reason for Action: _____

The grant of aid, or any change in the amount of aid, is based on the present circumstances and is subject to revision with a change in circumstances.

If you do not understand this notice or are dissatisfied with the action of the Board of Supervisors, contact the County Welfare Department located at _____ for discussion of any question involved.

Any applicant or recipient who is dissatisfied with the action taken upon his application, or with respect to the amount of aid granted may appeal to the State Department of Social Welfare, 616 K Street, Sacramento, California.

SIGNATURE OF COUNTY WORKER

IMPORTANT.—Information for all recipients of Aid to Needy Children:

Should circumstances make it necessary for you to move, it is your responsibility to make proper arrangements with your County Welfare Department before you move, either out of the county or to a new address within the county. Otherwise, there may be an unavoidable delay or interruption in the receipt of aid.

In accordance with your statement, formally sworn to at the time you signed the application, you are urged to discuss promptly with your County Welfare Department any changes in circumstances or financial condition. This will include reporting marriage of parent or a child as well as discussion of purchase or sale of real or personal property and any changes in income from property, earnings, or any other source.

FORM CA 239 (revised)—June, 1944

(Section Continued on Next Page)

C-160 REPORTING ACTION OF THE BOARD OF SUPERVISORS TO APPLICANT

C-160

Immediately following action of the board of supervisors, the applicant shall be notified in writing of the disposition of his application and of his right of appeal to the SDSW for a fair hearing.

Notification of Action by the Board of Supervisors, Form CA 239, includes the minimum requirements for notification to the applicant and shall be used by the county unless a substitute form which incorporates the information appearing on Form CA 239 is used, namely:

1. The nature of the board of supervisors action, i.e., granting or denial of assistance on applications or restorations. If granted, the amount of assistance shall be shown.
2. The date from which the board of supervisors action is effective.
3. The date the Form CA 239 is forwarded to the applicant.
4. A statement regarding the right of appeal for a fair hearing, including the address of the SDSW.
5. A suggestion that the applicant discuss with the county any dissatisfaction regarding the board of supervisors action.

If the probation officer or person other than a relative is the applicant and a relative is the payee, Form CA 239 should be sent to the relative. Since care given to children in institutions or boarding homes may be on a contractual basis, it is not necessary to send Form CA 239 to institutions or boarding homes in every case. However, inasmuch as any person caring for, or responsible for care of, a child may file an appeal with the SDSW, the county should make known to the probation officer and to the institution or boarding home caring for the children the fact that an appeal may be filed.

If a withdrawn application is denied by the board of supervisors, the applicant shall be notified of this action on Notification of Action by the Board of Supervisors, Form CA 239. (W&IC 1551, 1560)

(Section Continued on Next Page)

C-170 COUNTY RECORDS IN CONNECTION WITH APPLICATION

C-170

Sufficient card controls and files shall be maintained in the county to insure that (1) identification and clearance can readily be made to expedite the processing of applications and to eliminate duplication, and that (2) action is taken when due.

Even though an application is not signed, a written record shall be kept of all requests for assistance for a child or for the consideration of the eligibility of a child to receive assistance, on the assumption that such requests may result in application for ANC. The information recorded shall include name and address of applicant, name of child, or children, number in family, date and nature of inquiry, disposition, and if no application is signed, the reason therefor.

If an application for ANC is withdrawn, the information secured during the interviews shall be recorded. A copy of the Notice to Applicant Who Withdraws Application, Form DPA 8, shall be retained in the case record unless the withdrawn application is denied by the board of supervisors, in which event Form CA 239 shall be retained in the record.

The county shall maintain a permanent master card file of all persons who have made application for ANC, with the county number assigned to each. Some method of registering such numbers shall likewise be maintained.

Such other card files and controls as may be necessary shall be maintained in connection with:

1. Pending applications
2. Cases in which an application has been signed but assistance has been denied or discontinued or in which the application has been canceled or withdrawn
3. Active cases currently receiving assistance
4. Annual redeterminations of eligibility
5. Transfers of cases to another county or from another county
6. Completion of required period of county residence on non-county cases
7. Other anticipated action, such as discontinuance at the age of 18 years. (W&IC 1560)

C-165 REPORTING ACTION ON APPLICATION TO SDSW

C-165

The SDSW shall be notified of the action of the board of supervisors on all applications within 15 days after such action by submission of the properly completed forms set forth in the following chart:

FORMS USED IN REPORTING ACTION ON ALL APPLICATIONS TO SDSW

<u>Assistance Granted</u>	<u>Form</u>
Application	CA 200 (original, carbon copy, or certified copy)
Certificate of Eligibility)	CA 201 (original or certified copy)
Social Data Record Card	CA 230 (original)
Notice of Change	CA 232 (original, carbon copy, or certified copy)

<u>Assistance Denied</u>	<u>Form</u>
Application	CA 200 (original, carbon copy, or certified copy)
Certificate of Eligibility	CA 201 (original or certified copy)

- 1) If denial is rescinded and reported on Notice of Change, a completed Certificate of Eligibility showing approval by the board of supervisors shall accompany the Notice of Change. If assistance is granted on an appeal to the SDSW following a denial, a completed Certificate of Eligibility shall be forwarded to the SDSW. (W&IC 1560)

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CHAPTER III—DETERMINATION OF ELIGIBILITY

GENERAL

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C-200 (Continued)

C-200

redetermination of eligibility at intervals not exceeding twelve months. Redetermination is necessary before assistance is restored for one child or for the entire family. Whenever a home visit is made or interview is held for a specific purpose, any possible changes affecting eligibility should always be covered.

The narrative shall contain the basis for the determination of continuing eligibility. In addition, the record shall contain an applicant's Affirmation of Eligibility, Form CA 206, completed by the applicant, parent, or person in loco parentis at intervals not exceeding twelve months.

The county shall inform the parent or payee of his continuing responsibility to keep the county promptly informed of any changes in the child's circumstances or change in need or financial condition, including any change in income or in real or personal property holdings.

The county shall inform the applicant of his right to appeal to the SDSW from any decision or action concerning the eligibility of the child, or any lack of action pertaining thereto. (W&IC 1550)

C-202 SOURCES OF EVIDENCE

C-202

The applicant shall be the primary source of evidence. Usually he will be able to state his circumstances and those of the child, as related to eligibility, in such a way that will leave no doubt as to eligibility. In those instances in which the applicant is unable to give definite, clear, and complete information which leaves no doubt, or in which evidence other than the applicant's statement is required, the applicant usually has or can secure additional evidence to substantiate his statements. Such evidence in the applicant's possession or which he is able to secure shall be used whenever available.

There will be occasions when the applicant will request the county or the county will offer, with the applicant's permission, to secure the additional evidence necessary for a determination, either from other individuals or organizations, or from public or private records.

Records of social agencies may contain additional evidence or information required to establish eligibility. Clearance with a confidential index or social service exchange should be made, if available, after identifying data has been obtained from the applicant and before the first interview with him, if possible, to enable the county to determine the social agencies to which the family may have been known. Social agencies frequently will assist in social planning for a family, upon proper request. The county shall utilize community resources for the best interest of the child and his family.

(Section Continued on Next Page)

C-200 DETERMINATION OF ELIGIBILITY - GENERAL

C-200

Effective administration of the ANC program depends upon a thorough and accurate determination of eligibility followed by periodic redetermination of continuing eligibility. Determination of eligibility is the process of gathering evidence of the circumstances of the child for whom application is made as related to the conditions of eligibility established for the program, the evaluation of the adequacy and competency of the evidence, and the arrival at a decision as to eligibility, continued eligibility, or ineligibility. It includes the accumulation and recording of evidence to substantiate the applicant's statement on the application that he believes the child to be eligible. On the basis of the evidence assembled by the applicant and the county, the county shall make the determination or decision as to eligibility or ineligibility.

The county shall explain to the applicant, or relative, what evidence is required for a determination of eligibility. The applicant has the primary responsibility for presenting evidence to substantiate his claim that the child is eligible. However, the county is responsible for offering and rendering service to the applicant in securing the required evidence, and the applicant shall not be required to establish the child's eligibility.

All reasonable sources of evidence shall be diligently examined, and all doubtful or conflicting evidence carefully evaluated, before assistance is denied. If ineligibility has been clearly established for one factor of eligibility by diligent examination of all reasonable sources of evidence and careful evaluation of doubtful or conflicting evidence, assistance shall be denied and determination of eligibility for other factors is unnecessary.

Since it is the county's responsibility to make an accurate determination of eligibility to assure that a child's needs are met and public funds are properly spent, the basis for the determination, that is, all evidence on which the determination is based, shall be fully recorded in the narrative or available copies of written evidence shall be filed in the record. This includes recording of the applicant's statement regarding the eligibility factors, as well as additional evidence if required. It also includes the evaluation of those statements or the other evidence and the reason further evidence is considered to be necessary (i.e., to clear up missing or conflicting data). Over-investigation of eligibility which is adequately established shall be avoided.

The determination of eligibility is a continuing responsibility. A child once found eligible may become ineligible due to frequent, sudden, or unforeseen changes in his circumstances, without respect to careful planning by the family and the county. A redetermination of eligibility shall be made whenever information indicates a possible change in circumstances or in need. There shall be a

(Section Continued on Next Page)

C-204 (Continued)

FORM CA 228

C-204

State of California

Department of Social Welfare

AUTHORIZATION FOR FINANCIAL INVESTIGATION

Aid to Needy Children

County No. _____

Name of County Worker _____

I, _____,

residing at _____, California, hereby
Street Number _____ City _____

authorize released to the bearer, a representative of the County Welfare Department of _____ County, any and all information regarding deposits, withdrawals and balances pertaining to any bank, postal savings, building and loan or trust accounts, which I, my husband/wife, or children, either separately or jointly now have or may have had in the past. I also authorize release of information regarding any collateral held as security for loans advanced to me, my husband/wife, or of the existence of a safe deposit box or any stocks and bonds that I, my husband/wife, or children, either separately or jointly own or have owned in the past.

I further authorize the bearer to be given information regarding any insurance that I have or may have had, or any insurance that my husband/wife, or children have or may have had with any insurance company, fraternal organization, union, or benefit society. Authorization is also given for release of information available from the records of the Bureau of Old Age and Survivor's Insurance and from the records of the Department of Employment regarding Unemployment Benefits.

(Signed) _____
SIGNATURE OF APPLICANT

Birthplace _____

Birthdate _____

Maiden name of mother _____

(Signature or
Name of Spouse) _____

Birthplace of spouse _____

Birthdate of spouse _____

Date _____ 19 _____

Form CA 228 (revised) -- April, 1942

C-202 (Continued)

C-202

If the child has previously received ANC from another county in the state, evidence of eligibility may be secured from the county previously assisting the child. The new county shall be responsible for redetermining the eligibility of the child for those factors which were subject to change. (W&IC 1560)

C-204 AUTHORIZATION FOR FINANCIAL INVESTIGATION

C-204

Both parents, if living, shall sign an Authorization for Financial Investigation, Form CA 228, or a substitute form approved by the SDSW, unless:

1. Full custody of the child has been surrendered by a parent pursuant to a court order. That parent shall not be required to sign the form.
2. The whereabouts of a parent is unknown.
3. The parent in a federal or state institution refuses to sign the form.
4. The parent is mentally disturbed and is unable or refuses to sign the form and the county determines that requiring the signature would not be for the best interest of the family and that the lack of signature would not materially impede the investigation.

Special forms may be devised by the county to cover specific types of inquiries. The county shall explain the reason for requiring specific information and should obtain the parents' consent. Written consent authorizing release of information from records not open to the public is usually required, such as records of (1) federal agencies, including the U. S. Census Bureau, U. S. Post Office (concerning postal savings), Veterans Administration, Adjutant-General's Office, Railroad Retirement Board, and Old Age and Survivors Insurance Bureau; (2) insurance companies and firms dealing with private financial matters, including stock brokers; (3) employers; (4) hospitals, physicians, clinics, and medical agencies. Full identifying data should be given in order that the organization to which inquiry is made may be able to locate records pertaining to the parent or child without further correspondence. If an inquiry form is prescribed by an agency all the data requested should be given.

If a bank account, insurance policy, etc., is carried in a name not used in the application or other supporting papers, both names shall be used in consent forms. A clear statement of reason for variation in name shall be secured and recorded.

The signed Form CA 228 shall be filed in the record in all cases as an authorization for securing information if a question of eligibility arises at some future time. However, the Authorization for Financial Investigation need be used only in those situations in which the applicant or relative is unable to give definite, clear, and complete information which leaves no doubt, or is unable to present supporting evidence if required. (W&IC 1560)

(Section Continued on Next Page)

C-206 (Continued)

C-206

If a person other than the parent is the applicant, the amount of information he will be able to provide as evidence of eligibility will be more limited. Such persons will also be more apt to give approximate information or will refer to other persons or sources of information.

The applicant must be permitted to tell his story in his own way. It may be better to obtain his entire statement and to relate events and conditions for completeness and consistency in one interview, or it may be advisable to clarify minor inconsistencies as the determination of eligibility progresses. However, all inconsistencies or incomplete statements should be brought to the attention of the applicant so that he will have an opportunity to clarify the questions or to suggest means of securing additional evidence to fill the gaps or to support his statements.

C. OTHER VERBAL EVIDENCE

Verbal information is acceptable if it is definite, clear, and complete, if there is no doubt regarding the situation, or there appears to be no conflict with other information. Information received verbally from official, professional, or financial sources whether formal, informal, or confidential is equally as valid as written or documentary information if it is complete and accurate.

Every statement, whatever its source, shall be appraised in relation to the purpose for which it was made, and with respect to any possible motive the person making the statement may have had for varying the facts. The evaluation shall consider such questions as:

1. What is the source of the informant's knowledge?
2. Is the informant's knowledge based on direct observation, records, or hearsay?
3. What is the bias or interest of the informant in the application or the child?
4. Would the informant's motives affect his reliability as a reference?

The observation by the worker regarding the attitude of the informant and the reliability of the information may be important. However, observation and impression shall be carefully distinguished from opinion. A full account of the incident or occurrence and manner or behavior of the informant which the worker observed shall be fully recorded, so that these facts may speak for themselves.

(Section Continued on Next Page)

C-206 EVALUATION OF EVIDENCE

C-206

A. REQUIREMENTS

The county record shall contain factual evidence that is adequate and competent to support the recommendation for the payment of assistance. Such evidence shall show that:

1. The child meets every eligibility requirement
2. The child is in need
3. The need is in the amount specified
4. The child continues to be eligible in the amount authorized

The adequacy and competency of the evidence accepted shall be determined and correlated with other known information. If the worker has reason to question the evidence, the reason for such doubt shall be clearly stated. The reason certain data is accepted rather than other information shall be stated. The evidence thus weighed and evaluated is the basis for the determination of each factor of eligibility.

Information considered adequate to establish eligibility may differ from one situation to another. If evidence obtained points to a conclusion but is not sufficient to establish it, further evidence shall be secured. The source of all evidence establishing eligibility shall be recorded in the narrative.

The applicant shall be the primary source of information. Except for those items for which additional information is specified, the record shall show the reason evidence in addition to the applicant's statement was obtained.

B. STATEMENT OF THE APPLICANT OR RELATIVE

Relying upon the applicant's statement as the primary source of evidence to establish eligibility implies that such statements will require careful consideration as well as careful recording. If the applicant is the parent of the child for whom assistance is requested, he will usually be well acquainted with all the child's circumstances which affect eligibility. In supplying requested information, he will usually be able to give more information than is actually required and will be able to relate events to each other in such a way that his entire story will be definite, clear, and complete and consistent within itself. The fact that he may have to do some cogitating or may not recall some specific dates does not detract from the validity of the results. If exact dates are not recalled, usually he will be able to narrow down events to specific periods related to other events. If exact dates are not essential to eligibility, approximate dates are acceptable.

(Section Continued on Next Page)

C-206 (Continued)

C-206

Inconsistency in information from two equally reliable sources indicates that further inquiry is necessary. If the inconsistencies cannot be reconciled, the data substantiated by the preponderance of evidence shall be used. In determining the preponderance of evidence, consideration shall be given to the relative merits of the various pieces of evidence to determine which has the greater validity. All evidence shall be examined from the standpoint of consistency within itself, and consistency with other evidence. Evidence shall be evaluated at the time of final decision in the light of all available data, including that from prior determinations. The decision and the basis for the decision shall be recorded in the narrative. (W&IC 1560)

C-208 HOME VISITS DURING DETERMINATION AND REDETERMINATION OF ELIGIBILITY

C-208

A home visit shall be made during the determination of eligibility following receipt of the application, if possible. If a home visit cannot be made, an interview shall be held elsewhere with the applicant and the child's living arrangements as reported by him shall be recorded. The case narrative shall set forth conditions which made a home visit impossible, such as inaccessibility of the home because of weather, shortage of staff, etc. If the assistance is being transferred from General Relief to ANC and a home call within three months of the date of application has been recorded in the record to be incorporated with the ANC record, another home visit during the determination of eligibility is not required.

If a home visit is made, the family's living arrangements and standards should be ascertained by observing the physical aspects of the home, housekeeping, household management, and the family's cultural or recreational interests and activities.

A home visit shall be made or an interview held elsewhere at the time of, or within three months prior to, the annual redetermination of eligibility. An interview may not be substituted for this home visit unless a home visit has been made within the year preceding the due date of annual redetermination of eligibility. (W&IC 1560)

C-210 DUE DATE OF ANNUAL REDETERMINATION OF ELIGIBILITY

C-210

The county may set the due date for completion of the redetermination of eligibility according to any plan which guarantees redetermination of eligibility once annually. This date may be set on the basis of the beginning date of assistance, the date of the last redetermination, or any other date provided such date does not extend beyond twelve months from the month in which assistance began or from the month in which the last redetermination was completed.

(Section Continued on Next Page)

C-206 (Continued)

C-206

D. WRITTEN EVIDENCE

Documentary evidence from public records, such as vital statistics, recorder's and assessor's records, school rosters, voters registers, and public agencies, is usually accurate and acceptable.

Documentary evidence from private records, such as hospital or clinic reports, private social agencies, church certificates, family bibles and family records, including family correspondence, is acceptable, if not inconsistent with information from other sources.

Previous records of the family in the county welfare department are an acceptable source of evidence. Since such records are equally subject to error, evidence from that source shall be evaluated without precedence over evidence from any other source.

The most reliable record is usually one made for the purpose of maintaining **archives** or registers. A public or private record made at the time of the event is considered more reliable than a later record. The document's source and age should be evaluated if there is reason to doubt its adequacy.

It is unnecessary to have copies of documents in the case record. The content of documents in the applicant's possession or in public records which were examined by the worker shall be recorded in the narrative. Such recording shall fully identify the document and clearly state the facts therein which were extracted as evidence.

E. BASIS FOR ACCEPTANCE OF EVIDENCE

If the applicant's statement and competent evidence are inconsistent, decision shall be based upon the facts established by the evidence.

The several enumerated sources and types of evidence are in themselves acceptable unless there is a basis for doubting their accuracy or competency. In the absence of any doubt, such evidence is acceptable and only the source of evidence and the evidence shall be recorded in the narrative. If there is doubt, the doubted evidence shall be recorded as well as the basis for questioning the evidence.

(Section Continued on Next Page)

C-212 (Continued)

C-212

Sufficient information about the parent and child and the nature of the information desired regarding them should be given in the letter of inquiry, so that the agency may proceed intelligently in collecting and transmitting the necessary information.

If the signed Affirmation of Eligibility and the report is not returned by the agency within a reasonable time after follow-up is made, direct request should be made to the parent to complete the Form CA 206 and to forward it together with his statement of his intent with respect to residence and his living arrangements. (W&IC 1560)

C-214 INSTRUCTIONS FOR COMPLETING THE AFFIRMATION OF ELIGIBILITY

C-214

The Applicant's Affirmation of Eligibility, Form CA 206, is a statement by the applicant, parent, or person in loco parentis that he believes that the child or children continue to be eligible for ANC.

The Applicant's Affirmation of Eligibility, Form CA 206, includes the minimum points of eligibility to be redetermined and shall be used by the county unless a substitute form which incorporates the information appearing on the Form CA 206 is used.

The county shall give whatever assistance is necessary to complete the form.

Only one form need be completed. This form shall be filed in the county case record.

The identifying information preceding Section 1 (State No., County No., Name of Applicant, Relationship to Children, and Address of Applicant), Section 1, and Signature or Mark of Applicant shall be completed in accordance with instructions for completing comparable items on the Application form (see Sec. C-140).

Sections 2 and 3. These sections list the conditions of eligibility under which the applicant, parent, or person in loco parentis believes the child continues to qualify for ANC. Sub-items under these sections need not be designated.

Section 4, Real and Personal Property Transactions. Enter in Items A, B, C, and D a description of property acquired or disposed of; e.g., house and lot, automobile, stock, etc. Enter "none" or "unknown" if applicable.

Acknowledgment. The acknowledgment of the signature before a notary or other person authorized to attest signatures is optional with the county. (W&IC 1560)

(Section Continued on Next Page)

C-210 (Continued)

C-210

Example: A redetermination of eligibility was due to be completed by February 1 and was completed on January 6. The next due date is February 1 of the following year. On August 17 a home visit is made to discuss a change in school attendance. Although a redetermination of eligibility is not due for five months, the worker conserves time, energy, and mileage by having an applicant's Affirmation of Eligibility, Form CA 206, completed. Since the worker is continually responsible for determination of eligibility, the home visit for a specific purpose should always cover any other possible changes affecting eligibility. The recording of the home visit would include a statement concerning the redetermination of eligibility. The due date for annual redetermination is advanced to August 1 of the following year and the control changed accordingly.

Work on individual cases should be begun in advance of the month in which the redetermination of eligibility is due to be completed. After twelve months have elapsed since a determination or redetermination of eligibility, eligibility is considered to be no longer established and any payments of assistance for which the child is later determined to have been ineligible are subject to disallowance.

If the due date for redetermination of eligibility falls within the three months immediately preceding the effective date of transfer of assistance from one county to another, the county currently paying assistance need not make the redetermination, since determination of eligibility will be made by the new county of residence when the application is taken. (See Sec. C-412, Procedure for Inter-County Transfers)

Preliminary to restoration of assistance for a child, or for a family, a redetermination of eligibility shall be made. If such restoration follows a discontinuance for the entire family which extends beyond the due date for annual redetermination of eligibility, an Affirmation of Eligibility, Form CA 206, shall be obtained. (W&IC 1560)

C-212 REDETERMINATION OF ELIGIBILITY DURING TEMPORARY ABSENCE FROM THE COUNTY

C-212

If redetermination of eligibility falls due during temporary absence from the county or the state, welfare agencies in the localities in which the child and parent are living shall be requested to assist in completing the investigation. An applicant's Affirmation of Eligibility, Form CA 206, shall be sent to the agency with the request that the agency interview the parent, secure the signature on Form CA 206, and return it together with a report of the parent's statement of his plan regarding residence, his living arrangement, the source and amount of his income, and other pertinent information.

(Section Continued on Next Page)

C-214 (Continued)

FORM CA 206 (Reverse)

C-214

County Report of Eligibility Reinvestigation

1A. Classification:						1B. Evidence Verifying Classification:
2. Whereabouts of parents {Mother..... Father.....}						
3. Given Names of Children	4. Living Plan	5. PAYEE		6A. Regular School Attendance (16-18 years)	6B. Evidence verifying school attendance:	
		A. Relationship	B. Name if Other Than Applicant			
1A. Classification:						1B. Evidence Verifying Classification:
2. Whereabouts of parents {Mother..... Father.....}						
3. Given Names of Children	4. Living Plan	5. PAYEE		6A. Regular School Attendance (16-18 years)	6B. Evidence verifying school attendance:	
		A. Relationship	B. Name if Other Than Applicant			
7A. Property owned by parents and/or children:						7B. Evidence verifying property:
(1) Real property, assessed value (less encumbrances of record) \$						(1)
(2) Cash and/or securities, value \$						(2)
(3) Transfer or assignment made to qualify for aid Yes <input type="checkbox"/> No <input type="checkbox"/>						(3)
8A. Contribution from parent(s) not living with child (ren):						8B. Evidence verifying ability to support and contribution from parent(s):
(1) Able to contribute Yes <input type="checkbox"/> No <input type="checkbox"/>						
(2) Actual contribution \$						
9A. Assistance plan—Family budgetary basis:						9B. Verification and explanation of assistance plan:
(1) Total budget for the family unit \$						
(2) Total income to family unit \$						
(3) Deficiency— \$						
(4) ANC grant \$						
10. Assistance plan—Individual child basis:						
10A NAME OF CHILDREN	10B TOTAL NEED INDIVIDUAL CHILD	10C CONTRIBUTION FROM PARENT	10D OTHER INCOME	10E ANC GRANT EACH CHILD	10F VERIFICATION AND EXPLANATION OF ASSISTANCE PLAN	
1.	\$	\$	\$	\$		
2.						
3.						
4.						
5.						
6.						
11. Date of last home visit:						
12. Amount of Aid to Needy Children for which child (ren) is eligible:						
\$						

11. Date of last home visit:

12. Amount of Aid to Needy Children for which child (ren) is eligible:

\$-----

Date

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CHAPTER III

DETERMINATION OF ELIGIBILITY—DEPRIVATION

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C-225 (Continued)

C-225

Example 1: A child whose parents are deceased but who has income from property sufficient to maintain him in a suitable foster home or with a relative is deprived of both parental support and care, but might not be in need for purposes of ANC. Should the income cease, however, and need be established, the child would qualify for ANC from the standpoint of deprivation of parental support or care even though there was no immediate causal connection between the current need and the death of the parent.

Example 2: A child who is a member of a normal family group and whose parents are unable to meet his needs, due to an emergency such as disaster or widespread unemployment, would not be deprived of parental support or care in accordance with this definition. At no time is the ANC program intended to minimize the parent's responsibility for attending to the needs of his family.

The elapsed period or expected duration of deprivation has no bearing on the determination of eligibility. If the deprivation exists, the eligibility on this point is immediate. There are situations when the parent needs the most understanding treatment if he or she is to be directed towards normal living and satisfactory adjustment to future responsibility. The principle of keeping children in their own homes whenever possible may best be served by providing assistance immediately to avoid the necessity of making major readjustments in the child's living arrangements. The absence, illness, or disability which causes deprivation of parental support or care may be most detrimental to the child at the moment the parent departs, dies, or falls ill, and assistance at this time may help to stabilize the family situation in which the child will live.

When the deprivation no longer exists, the county shall help the members of the family plan to meet their needs before assistance is discontinued. However, financial assistance shall not be continued for more than three monthly payments during the period of adjustment after the deprivation ceases. (W&IC 1560)

**C-230 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE BY
REASON OF DEATH**

C-230

A child shall be considered deprived of parental support or care if one or both of his parents are deceased. (W&IC 1500)

**C-235 DETERMINATION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE
BY REASON OF DEATH**

C-235

The county shall determine that either or both parents are dead.

The narrative shall include the applicant's statement of the date and place of death and other pertinent details concerning the circumstances of the death. If the applicant can give definite, clear, and complete information and there is no doubt regarding the situation or if the records of the county provide the information, additional evidence is not required. If the applicant does not have complete

(Section Continued on Next Page)

C-220 REQUIREMENTS FOR DEPRIVATION OF PARENTAL SUPPORT OR CARE

C-220

A child shall be considered to be eligible for ANC with respect to deprivation of parental support or care if:

1. One or both parents are dead, or
2. There is continued absence of either or both parents from the home, or
3. One or both parents are physically or mentally incapacitated. (W&IC 1500)

C-225 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE

C-225

The word "parent" means either the mother or the father, natural or adoptive, whether married or unmarried.

Inasmuch as the legal adoption of a child is designed to effect a complete substitution for the natural parents, eligibility of an adopted child shall be based upon the death, incapacity, or absence of the adoptive parents and not on that of the natural parents.

The presence of a stepparent in the home does not disqualify a child who has been deprived of parental support or care, but it may be a factor in establishing need. The stepparent has no legal responsibility for support of stepchildren. (See Sec. C-356, Responsibility of Relatives)

The word "child" includes the unborn child if pregnancy has been verified by a physician's oral or written statement.

A child may be deprived of either support or care. The word "support" means financial provision for meeting the needs of the child. The word "care" means the natural affection, supervision, physical care, and guidance necessary to the health and normal growth of the child as a participating member of his community.

The requirement of deprivation of parental support or care shall be considered as an eligibility factor separate from need. Both need and deprivation of parental support or care shall be determined. The parent's death, incapacity, or absence from the home is presumed to deprive a child of parental support or care. A child could be deprived of parental support or care and, because of income, not be in need, or he could be needy but not deprived of parental support or care in accordance with this definition.

(Section Continued on Next Page)

C-240 (Continued)

C-240

Dissociation from family relationships is not considered to exist if the parent is absent solely for the purpose of looking for work, working in another locality, visiting, or moving to another community. However, it is recognized that the original purpose of the absence may change. Dissociation is not presumed in cases in which a parent is confined in a penal or correctional institution, but because such a parent is unable to return to the family, he is included in the definition of absent parent. Continued absence of a parent from the home exists in the following situations:

1. The parents are divorced or divorce action has been filed and the parents are living separate and apart.
2. The parents are separated, legally or by bona fide agreement.
3. One or both parents have deserted (includes foundlings and abandoned children).
4. The marriage of the parents has been annulled.
5. The parents of the child are not married to each other and are not maintaining a home together.
6. A parent is confined in a penal or correctional institution (including road camps and county jails).

If the parents are maintaining a home together but the child is living elsewhere, whether placed by the parents, by an authoritative agency, or by an agency acting on behalf of the parents, the child shall not be considered to be deprived of parental support or care due to absence of a parent from the home.

For purposes of determining deprivation of parental support or care, legal action against an absent parent or action to locate an absent parent or to establish paternity of a child of unmarried parents is not required. Such actions might result in permanent severance of family relationships with the absent parent rather than strengthening family ties. (See Sec. C-356, Responsibility of Relatives)

Visits of an absent parent to the home to see the child, or his contributions to the support of the child, would not affect eligibility on the basis of deprivation of parental support or care. Contributions made by the absent parent shall be considered as income in determining need.

If an absent parent returns to the home, he may be unable to assume at once his full responsibility for the child's support or care. Discontinuance of assistance immediately might make family readjustments more difficult and create hardships for the child. Assistance shall be continued as long as necessary but not

(Section Continued on Next Page)

C-235 (Continued)

C-235

or accurate information, or if there appears to be conflicting information, further evidence of death shall be obtained.

Some examples of other acceptable evidence of death are as follows:

1. Records of an insurance company, fraternal order, coroner, hospital, mortuary, or any organization having direct or primary knowledge of the death.
2. Newspaper or obituary notices, if they give the name of the deceased and the date and place of death.
3. Letters, if they are identifiable with the event and give the necessary information.
4. Statement of a witness to the event such as a doctor, nurse, relative, or other person present at the time of the death or who attended burial rites. Such statements may be oral or written and need not be in form of affidavits. The following points shall be included either in the written statement or in the narrative record:
 - a. Name of the deceased and the relationship to the child.
 - b. Date and place of death.
 - c. Relationship of the witness to the decedent or family, such as attending physician, minister, relative, friend, or casual acquaintance.
 - d. Facts showing that knowledge is primary and direct, not hearsay.
5. Death certificate or certified copy of same.
6. Written verification from the Recorder or Bureau of Vital Statistics giving the necessary information.
7. Court finding of presumptive death. (W&IC 1560)

**C-240 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE
BY REASON OF CONTINUED ABSENCE FROM THE HOME**

C-240

A child shall be considered deprived of parental support or care if there is continued absence from the home on the part of one or both parents.

Continued absence from the home implies a clear dissociation of one or both parents from the normal family relationships.

(Section Continued on Next Page)

C-250 (Continued)

C-250

Incapacity of the mother is defined as any physical or mental illness, defect, or disability which prevents her from giving her child normal care.

Incapacity of the father is defined as any physical or mental illness, defect, or disability which prevents him from working full time at regular employment. Regular employment does not include therapeutic, rehabilitative, or sheltered work shop type of work.

If part-time employment is undertaken by the incapacitated father, assistance shall continue if need exists. The father's incapacity may permit intermittent employment and he shall be encouraged to accept such employment within his capacities. Assurance that assistance will be available when he is no longer employed or not earning sufficient to meet the family need will be an additional incentive to accepting employment. It is possible in such cases that the amount of assistance will fluctuate or be discontinued and restored at frequent intervals.

The incapacitated father should have every opportunity to restore himself to as complete economic and social self-sufficiency as is possible. Following complete recovery from an illness or following the correction of a defect or disability, assistance shall be continued as long as necessary, not to exceed three monthly payments after the father's recovery. (W&IC 1500, 1560)

**C-255 DETERMINATION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE
BY REASON OF PHYSICAL OR MENTAL INCAPACITY**

C-255

The county shall determine that the mother is incapacitated by a physical or mental illness, defect, or disability which prevents her from giving her child normal care; or that the father is incapacitated by a physical or mental illness, defect, or disability which prevents him from working full time at regular employment.

The narrative shall include the applicant's statement of the date the incapacity began, the reason the incapacity prevents the father from working full time at regular employment or the mother from giving her child normal care, and other pertinent details concerning the incapacitation. In addition, one of the following types of evidence shall be included:

1. A medical report from a physician, clinic, hospital, health department, or medical social service department in cases of physical incapacity. The report may be obtained by the parent or by the agency with the written consent of the parent. The medical report, written or oral, should include:

(Section Continued on Next Page)

C-240 (Continued)

C-240

to exceed three monthly payments after the parent's return. During this period the county is expected to help the family work out plans for future management. For example, a father who has been absent from the home because of imprisonment and returns home on parole can no longer be considered to be absent from the home. However, the effect of his absence may continue for a period while the family finds housing adequate for an additional member and makes the move, and while the father finds employment and begins to receive an income to provide support for the family. Assistance in meeting the financial needs and in making family readjustments will strengthen family ties and minimize hardships for the children. In no event shall financial assistance be continued after three monthly payments subsequent to the parent's return, even though need continues. (W&IC 1500, 1560)

**C-245 DETERMINATION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE BY
REASON OF CONTINUED ABSENCE FROM THE HOME**

C-245

The county shall determine that there is continued absence of a parent from the home.

The narrative shall include the applicant's statement of the date absence began, the circumstances surrounding the absence, present whereabouts of the absent parent, and subsequent relationships of the parents to each other and to the child. If the applicant can give definite, clear, and complete information and there is no doubt regarding the situation or if the records of the county provide the information, additional evidence is not required. If the applicant does not have complete or accurate information, or if there appears to be conflicting information, further evidence of absence shall be obtained. This may be in the form of official or unofficial documents, or interviews with other persons having knowledge of the situation. Further information regarding the absent parent may be required for the purpose of establishing need. (See Sec. C-366, Determination of Amount of Contribution from an Absent Parent)

If the absent parent returns to the home, plans for readjustments and discontinuance of assistance should be discussed with the family and available services made known to them. (W&IC 1560)

**C-250 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE
BY REASON OF PHYSICAL OR MENTAL INCAPACITY**

C-250

A child shall be considered deprived of parental support or care if one or both of the parents have a physical or mental incapacity. The incapacity may be partial, temporary, or permanent.

(Section Continued on Next Page)

C-255 (Continued)

C-255

In some instances a mental illness may be reflected by marked instability, inability to hold a job, chronic alcoholism, physical symptoms without an organic basis, etc. A physician's oral or written statement together with the recorded social history will be accepted as evidence of mental incapacity in these cases.

The frequency of the redetermination of the existence of incapacity will depend upon the type of illness or disability. If the incapacity is subject to change or if the physician has recommended that a reexamination be made at a specified time, redetermination of the factor of incapacity is necessary.

If the parent is hospitalized in a Veterans Administration facility, eligibility in so far as physical or mental incapacity is concerned may be established by the applicant's statement (see Items 2 and 4) or by a report from the Veterans Administration. Under the regulations governing the Veterans Administration, the medical staff is not permitted to make statements regarding the degree or permanence of incapacity. However, medical information will be released in letter form by the Veterans Administration to the county welfare department on receipt of a signed consent of the veteran on the Veterans Administration Form 3288, Release of Information from Claimant's Record--Request for and Consent To. (Copies of this form may be secured through local Veterans Administration offices.) Request to the Veterans Administration for medical information should be directed to the manager of the appropriate hospital and marked "Attention: Social Service."

If an examination of the parent to determine eligibility is made by a private physician, the county may claim federal participation in the payment for examinations in the following cases:

1. The first examination to establish initial or continued eligibility.
2. A second or third examination resulting from:
 - a. The parent's dissatisfaction with the first or second examination
 - b. The county's decision that further medical opinion be secured
 - c. The SDSW's recommendation that further medical opinion be secured
3. Subsequent examinations if ordered by the SDSW. (WAC 1560)

C-255 (Continued)

(Continued) C-255

- a. Diagnosis
- b. Prognosis as to ultimate recovery and probable duration of illness
- c. Recommendations as to medical, surgical, psychiatric, or other treatment
- d. Recommendations as to reexamination

11. 2. The parent's receipt of disability benefits. This includes benefits received under the Disability Insurance plan administered by the State Department of Employment, voluntary or private disability insurance plans, Workmen's Compensation, and disability compensation through the Veterans Administration. The applicant's statements regarding the cause of the incapacity, and the circumstances surrounding the award of the benefits will establish incapacity if not inconsistent with other facts in the case. The applicant may have documents in his possession showing that a disability benefit has been awarded. When discontinued, further proof of incapacity is necessary.

12. The receipt of ANB or APSB by a parent.

13. The hospitalization of the parent in either a public or private hospital. This includes general hospitals, hospitals for the chronically ill, and specialized hospitals for the tuberculous, the mentally ill, and the mentally defective. If the applicant can give definite and clear information regarding a parent's hospitalization, further evidence is not required. Hospitalization may also be established by an oral or written statement from an appropriate hospital authority or from the medical social service department, or by securing an oral or written medical report from the attending physician, or by the worker's observation if he has had occasion to visit the parent in the hospital.

14. A parent on leave of absence from a hospital does not render his children ineligible if they are otherwise eligible. If a parent has been discharged as recovered from a hospital for the mentally ill, he can no longer be considered incapacitated.

5. The worker's observation. If a parent has a visible impairment (for example, loss of a limb, paralysis, club foot), the recorded description of the disability is sufficient to establish eligibility.
6. A medical report from a psychiatrist, a recognized hospital, or a physician in cases of mental illness, or a report from a qualified psychologist or school record in cases of mental deficiency.

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C-265

8. Statement of a witness to the event such as a doctor, nurse, relative, or other person present at the time of birth. Such statements may be oral or written and need not be in form of affidavits. The following points shall be included either in the written statement or in the narrative:

- a. Name of the child and parents.
- b. Date and place of birth.
- c. Relationship of the witness to the family, such as attending physician, minister, relative, friend, or casual acquaintance.
- d. Facts showing that knowledge is primary and direct, not hearsay.

If a child is a foundling, a statement of the finder shall be secured, if possible. The approximate age only can be given. A statement from a physician as to the approximate age of the foundling may also be accepted. (W&IC 1560)

C-260 AGE REQUIREMENTS

C-260

No child over the age of 18 years is eligible for ANC under the provisions of the law. A child is eligible until the end of the month in which his 18th birthday occurs, except that if the birthday is the first day of the month, assistance is payable only through the day preceding the 18th birthday.

If the year of birth is established, but the exact day or month cannot be determined, the birth date shall be assumed to be the first day of the year. In such cases it shall be assumed that the age of 18 is reached on the first day of a year. If the month of birth is established, but the exact day cannot be determined, the birth date shall be assumed to be the first day of that month. (W&IC 1522, 1552.3, 1560)

C-265 DETERMINATION OF AGE

C-265

The county shall determine the age of the child.

The narrative shall include the applicant's statement of the date of birth.

If the applicant can give definite, clear, and complete information and there is no doubt regarding the situation or if the records of the county provide the information, additional evidence is not required. If the applicant cannot give a complete or definite statement regarding the birth date or if there appears to be conflicting information, further evidence of age shall be obtained.

Some examples of acceptable evidence of age are as follows:

1. Birth certificate or certified copy.
2. Written verification from the Recorder or Bureau of Vital Statistics.
3. Baptismal record or statement from the church.
4. School or court records.
5. Records of an insurance company or hospital.
6. Newspaper notices, if they give name of child and parents and the date and place of birth.
7. Letters, if they are identifiable with the event and give the necessary information.

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CHAPTER III—DETERMINATION OF ELIGIBILITY

STATE RESIDENCE

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C-273 (Continued)

C-273

4. Residence can be changed only by union of act and intent. Before residence is gained, it is necessary that there be physical presence and intent to establish residence in a certain place. The factor of intent involves, as a prerequisite, ability to make a choice. Therefore, a person entering the state under arrest, such as a federal prisoner destined for Alcatraz or for a county jail functioning as a federal prison, a person extradited from another state in which he had established residence, an escaped prisoner, a paroled prisoner, and any other person of similar status could not establish residence here since such person does not have the ability to make a choice. However, if a parent who was living in California with the intent to establish residence here is confined in a prison or committed to a public hospital in California, time spent in, or on parole from, such public institution is considered in establishing state residence.

Voluntary physical presence in this state for any considerable length of time may indicate intent to reside here. In the absence of evidence to the contrary, residence shall be considered to begin on the date of entry into California.

Temporary absence from the state with intent to return to California does not interrupt residence already acquired in this state and such periods of absence are included when computing length of residence. Temporary absence includes absence for such purposes as:

1. Visiting or seeking employment.
2. Employment which entails travel, such as that of salesmen, merchant seamen, migratory workers, and entertainers.
3. State or U. S. business or employment, including military service.
4. Confinement in a prison or commitment to a public hospital.

Residence of a husband determines that of his wife, whether she is an adult or a minor. If the husband dies, or the couple are divorced, the widow, or divorced wife, whether adult or minor, determines her own residence. A husband, however, is deemed to reside where his family has residence unless he establishes a separate residence elsewhere by act and intent. A woman, upon marriage, does not acquire her husband's prior length of residence.

The residence of a female minor whose marriage has been annulled is governed by her parents. The residence of a child of an unmarried minor is governed by the residence of the mother's parents or by the father's residence if paternity has been established.

(Section Continued on Next Page)

C-270 STATE RESIDENCE REQUIREMENTS

C-270

A child shall be considered eligible for ANC with respect to residence, if:

1. He was born in California, or
2. He has been physically present in California for one year immediately preceding the date of application, or
3. His parent or parents have resided in California for a period of one year immediately preceding the date of application. (Residence of a parent ends with a parent's death.)

Dependency or receipt of assistance through any county in California is irrelevant in determining residence for purposes of ANC.

No period of county residence prior to application is required for eligibility but is essential to county participation in assistance payments as provided in Secs. C-400 through C-415. (W&IC 1525, 1560)

C-273 DEFINITION OF STATE RESIDENCE

C-273

Residence is not defined in the ANC law. Therefore, the word "residence" and its derivatives "reside" and "residing" are interpreted in accordance with provisions of the general laws, except as they conflict with specific provisions of the W&IC.

Residence is not to be confused with length of residence required as a condition of eligibility.

If the residence of the child depends upon the residence of his parents, determination of residence shall be made in the light of the following definitions:

1. Residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
2. There can be only one residence.
3. A residence cannot be lost until another is gained.

(Section Continued on Next Page)

C-282 (Continued)

C-282

If paternity of an illegitimate unmarried minor child has been established, state residence for the child may be established by the father's residence in the state. (W&IC 1525, 1560)

C-285 DETERMINATION OF STATE RESIDENCE**C-285**

The county shall determine that the child has residence in California.

A. CHILD BORN IN CALIFORNIA

The narrative shall include the applicant's statement of the place of birth.

If the applicant does not have complete or accurate information, or if there appears to be conflicting information, further evidence of place of birth shall be obtained. Types of evidence which are acceptable for determining age are also acceptable for determining state residence. (See Sec. C-265, Determination of Age)

B. CHILD NOT BORN IN CALIFORNIA

1. If the child's state residence is governed by his physical presence in California, the narrative shall include an oral or written statement of the person responsible for the care of the child or of any other person having knowledge that the child has been physically present in the state for one year immediately preceding the date of application. If the statement obtained does not give definite, clear, and complete information or if there is doubt regarding the child's physical presence in the state, additional evidence shall be secured. This may be in the form of reports of records or combinations of records of institutions, schools, hospitals, county welfare departments, etc., or interviews with other persons having pertinent information.
2. If the child's state residence is governed by the residence of a parent in California, the narrative shall include the parent's statement of his residence and intent of residence for one year immediately preceding the date of application. If the parent has been absent from the state during the year, his statement shall include reasons for leaving California, activities during absence, and reasons for returning to the state. If the parent's statement is not definite, clear, and complete or there is doubt regarding his residence, additional evidence shall be secured. This may be in the form of records or combinations of records covering the year's period or interviews with other persons. Some of the factors that would support the parent's statement of intent to retain California residence during periods of absence are:

(Section Continued on Next Page)

C-282 (Continued)

C-282

Absence of a parent or both parents from California without loss of state residence during the year immediately preceding application would have no effect on eligibility if the child is in California when assistance is granted.

Assistance shall not be denied solely because a child or the parents received assistance from another state or one of its political subdivisions while physically present in this state. If residence in another state is a condition to the granting or continuance of assistance, this may indicate an intent on the part of the parent to retain residence in that state. However, other evidence may indicate intent of the parent to establish residence in this state. If the child was physically present in the state during the year, receipt of assistance would have no effect on eligibility since intent is irrelevant if residence is based on the child's physical presence. (See Sec. C-279, State Residence Requirements Met by Child's Physical Presence in California)

If the parents leave the state with intent to reside elsewhere, leaving the child in the state, the child who has not been physically present in the state for one year becomes ineligible for assistance immediately. Such a child would remain ineligible until one year of residence by physical presence has been established.

If one or both parents and the child receiving assistance move out of the state with the intention of establishing residence elsewhere, the child is immediately ineligible for assistance. The parent's California residence is lost at the moment that, by act and intent, he gains residence elsewhere. However, if the child returns to the state with his parent during the following month and assistance is restored during that month so that monthly payments do not cease, the residence of the parent (if he intends to reside in California) shall be considered to have continued without interruption. Or, if the child returns to the state without his parent during the following month and assistance is restored during that month so that monthly payments do not cease, his physical presence in the state (if he has been physically present in the state for one year including the period of absence) shall be considered to have continued without interruption. If the child or parent does not return to the state in time so that it is administratively possible for assistance to be restored in the following month, he remains ineligible until one year's residence has been reestablished, either by physical presence or by the parent's residence.

If one or both parents and the child receiving ANC, or the child alone, are temporarily absent from the state without loss of state residence and the child is otherwise eligible, assistance shall be continued during the absence as long as the child remains otherwise eligible and the parent retains California residence by intent.

(Section Continued on Next Page)

C-279 (Continued)

C-279

Example 2: A child born out of the state who continued to live outside the state joined his father in California on 6/18/49. The father had resided in California for 4 years. The father died on 8/17/49. Application was not filed prior to the father's death. Therefore the child would not qualify for ANC on the basis of state residence until 6/18/50 when he will have been physically present in the state for 1 year.

Example 3: The father of two children born out of state is deceased. The mother brought them to California in 1947, leaving them with her aunt. The mother has lived in Arizona since 1947. An application for ANC is filed on 1/15/49. The children, if otherwise eligible, qualify on the basis of their physical presence in California for one year immediately preceding the date of application.

Example 4: A child whose parents have residence elsewhere has lived with an aunt in California for two years. ANC was granted on the basis of physical presence of the child in the state. The parents come to California without intent to establish residence and the child then lives with them. If otherwise eligible, the child continues to be eligible for ANC on the basis of physical presence, although he is with his parents who retain residence elsewhere.

A child receiving assistance who meets the residence requirements solely by his physical presence in California becomes ineligible at the end of the month in which he leaves the state. However, if the child returns during the following month and assistance is restored during that month so that monthly payments do not cease, his residence shall be considered to have continued without interruption. If the child does not return to the state in time so that it is administratively possible for assistance to be restored in the following month, he remains ineligible until he has reestablished one year's residence either by his physical presence or by his parents' residence. (W&IC 1525, 1560)

C-282 STATE RESIDENCE REQUIREMENTS MET BY RESIDENCE OF CHILD'S PARENTS

C-282

If a parent of a child not born in California has resided in the state for a period of one year immediately preceding the date of application, the child is eligible with respect to residence regardless of the subsequent death of the parent after the date of application. Absence of the child from California during this period would have no effect on eligibility if the child is in the state when assistance is granted.

Example 1: Four children born out of the state were living in Arizona with their parents. Their father died on 5/6/48. The mother came to California and established residence here on 8/17/48 bringing two of the children. On 4/7/49, the other two children joined the mother. The state residence requirement for all four children is completed on 8/17/49, when the mother has resided in California for one year.

Example 2: A child born outside California came to live with his father in the state on 6/18/48. The father had resided in California for four years. Application was signed on 8/17/48. Before the application was approved, the father died on 9/5/48. Since the application was signed prior to the father's death and the father had resided in the state for one year immediately preceding the date of application, the child is eligible for ANC immediately with respect to residence.

(Section Continued on Next Page)

C-273 (Continued)

C-273

Residence of a guardian does not establish state residence for his ward for the purpose of ANC. (W&IC 1560; Gov. C. 244)

C-276 STATE RESIDENCE REQUIREMENTS MET BY CHILD'S BIRTH IN CALIFORNIA

C-276

If a child is born in California, no period of residence prior to application is required. He is eligible with respect to residence if he is in California, regardless of the residence of his parents.

Example: The mother of a child born in California is deceased. His father lives in Ohio and never has been in California. The child has lived with his grandmother in California since 2/14/48. If he is otherwise eligible, he qualifies for assistance on 2/14/48, as he has state residence for purposes of ANC by reason of California birth.

If a child born in California receiving ANC has a parent whose residence is in California, the child may be temporarily absent from the state, with or without the parent and, if he remains otherwise eligible, assistance shall be continued as long as the parent retains California residence by act or intent.

If a child born in California receiving ANC does not have a parent whose residence is in California, the child becomes ineligible at the end of the month in which he leaves the state.

If a child born in California leaves the state and loses his state residence by the intent of his parent to establish residence elsewhere, he becomes ineligible immediately.

A child born in California who leaves the state is eligible for restoration of assistance immediately upon his return to the state, if otherwise eligible. (W&IC 1525, 1560)

C-279 STATE RESIDENCE REQUIREMENTS MET BY CHILD'S PHYSICAL PRESENCE IN CALIFORNIA

C-279

If a child not born in California has been physically present in the state throughout the year immediately preceding application and remains here, he is eligible with respect to residence regardless of the residence of his parents.

Example 1: A child was born out of the state and continued to live out of the state. His last surviving parent died on 6/20/48 after residing in California for four years. The child came to California on 6/22/48 and has lived with his grandmother since that date. If he were otherwise eligible, he would qualify for ANC on 6/22/49 when he had been physically present in the state for one year. (Residence of a parent ends with the parent's death.)

(Section Continued on Next Page)

C-285 (Continued)

C-285

- a. Maintenance of a home in this state.
- b. Storage of possessions in this state.
- c. Exercise of voter's privilege; i.e., casting absentee voter's ballot in election in this state.
- d. Return to state immediately upon termination of cause of absence.
- e. Return to state during seasons of repose.
- f. Expression of intent to retain residence in this state in correspondence with relatives, friends, or others, written prior to or during absence.
- g. Purchase of round trip ticket at the time of departure.
- h. Expression of intent, prior to departure, to neighbors, schools, church, or lodge officials.
- i. Securing non-residence hunting, fishing, or automobile permit in other state.

The fact that residence was retained by a parent shall be determined if restoration of assistance for a child is requested following discontinuance during absence from the state in order to show that the parent has retained California residence by intent.

If a child receiving assistance accompanies his parent to another state, the parent shall be required to report within a two-month period his intent with regard to residence, and thereafter shall be required to inform the county of any change in intent with regard to residence. The parent shall also be required to report his living arrangements in the new locality, any change in his income due to the change of his living plan, and the expenses of the current living plan. If the absence continues, arrangements shall be made periodically with out-of-state welfare departments to contact the child and parent to determine that the child is receiving adequate care. The county may determine the whereabouts of the payee by occasionally forwarding warrants by registered mail with return receipts requested. (W&IC 1560)

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C-305 (Continued)

C-305

Property is considered owned if it is held under any of the following conditions:

1. Clear of all indebtedness.
2. Subject to mortgage, deed of trust, etc.
3. Subject to sale to another party under contract of sale.
4. Subject to purchase from another party under contract of sale.
5. As a homestead.
6. In an undistributed estate provided the property is in fact available prior to distribution.

If real property is sold and a mortgage or deed of trust is taken as security for the unpaid balance of the sale price, title passes to the buyer. The assessed value of property so sold by the child or his parent is not considered as real property in determining eligibility. The assessed value of property so bought by the child or his parent is considered as real property in determining eligibility.

If real property is sold under contract of sale, title remaining with the seller, the assessed value of the property, regardless of the seller's equity in it, shall be considered in determining eligibility. The buyer of real property under contract of sale is the owner of an equitable interest in such real property and is also regarded as the owner of the property. The assessed valuation of property being purchased under contract of sale shall be considered in determining the eligibility of the buyer. If both the seller and buyer of property being sold under contract of sale are each the parent of a child for whom application for assistance is made or assistance is received, the assessed valuation of the property is considered in determining eligibility of both children.

While real property is held in escrow, title to property does not pass to the purchaser but remains with the seller. Therefore, the assessed value of property placed in escrow is a factor in determining eligibility if the child or his parent is the seller.

If a parent or child does not have control of all or part of a trust of which he is the beneficiary, the real property in the trust or that portion of it not under his control shall not be considered in determining the real property holdings. If ownership of the trust is dependent upon the occurrence of a certain event, such as the beneficiary attaining the age of 21 years, such trust is not considered the property of the beneficiary until the stipulated event occurs.

(Section Continued on Next Page)

C-300 REAL PROPERTY REQUIREMENTS

C-300

A child shall be considered eligible with respect to real property if the assessed value of all community and separate real property owned by each child and by his parents, less all encumbrances of record, does not exceed \$3,000. Even though the parents are living separate and apart, the assessed value of their community and separate property shall be considered, except:

1. If full custody of the child has been surrendered by a parent pursuant to a court order, that parent's property shall not be considered. However, if there has been no property settlement, the share of community property of the parent who has custody as well as his separate property, if any, shall be considered in determining eligibility. If there has been a property settlement, the property awarded the parent having custody of the child along with any other property of that parent shall be considered. Court orders for support of the child or property settlements involving income shall constitute a potential source of income; therefore, the investigation and determination of the availability thereof shall be made in accordance with Sec. C-366, Determination of Amount of Contribution from an Absent Parent.
2. If a parent has relinquished the child for adoption and the relinquishment has been filed with the SDSW, the property of that parent shall not be considered.
3. If the father of the child is not married to the mother and the parents are not maintaining a home together, the property of the father shall not be considered, unless the father has legitimatized the child under Sec. 230 of the Civil Code. (W&IC 1520, 1560)

C-302 DEFINITION OF REAL PROPERTY

C-302

Real property is considered to be property which is immovable. It includes burial space. Also, for purposes of determining eligibility for ANC, ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes. (W&IC 1520.1, 1560)

C-305 OWNERSHIP OF REAL PROPERTY

C-305

The term "owner" includes all persons who hold legal title to property. It includes the seller and the buyer of real property under a contract of sale.

(Section Continued on Next Page)

C-310 (Continued)

(b)(6)(A) C-310

The actual value of real property or its salability is not a factor in determining assessed valuation for eligibility purposes.

Property owned in other states or countries shall be included in the assessed value of real property. The local assessed value where the property is located shall be considered. The local assessed valuation of real property located outside the U.S. shall be considered on the basis of the rate of exchange in American dollars, e.g., if the Mexican Consul advised that property in Mexico was assessed at 1000 pesos and the rate of exchange was 5 pesos to 1 dollar, the assessed value of the property would be \$200. (W&IC 1560)

C-315 ENCUMBRANCES ON REAL PROPERTY**C-315**

Encumbrances of record shall be deducted from the county assessed value of real property before the \$3,000 limitation on county assessed value of real property is applied in determining eligibility.

Encumbrances include any debt for which the property is security, but to be deductible, the encumbrance shall be a written record which requires the payment of money. Some of the more common types of encumbrances on real property are: mortgages, deeds of trust, delinquent tax liens, judgment liens, loans, mechanics' liens, builders' liens, assessments, attachments, etc. (W&IC 1520, 1560)

C-320 DETERMINATION OF REAL PROPERTY**C-320**

The county shall determine the county assessed value of all real property owned by the child and his parents and all encumbrances of record.

If the applicant or person legally responsible for the child states that the child and his parents own no real property, no further investigation is necessary with respect to real property currently owned, unless conflicting information arises.

If the applicant or person legally responsible for the child states that the child or his parents own real property, an investigation shall be made. If a tax statement is available, it may be used to determine the assessed value of the real property. If a tax statement is not available, a review of the records of the county assessor, tax collector, or recorder shall be made to determine the amount of real property holdings.

(Section Continued on Next Page)

C-305 (Continued)

C-305

If property is lost through foreclosure, title passes to the new owner immediately upon sale of property under the decree of foreclosure. The former owner only has an equity for redemption purposes. The assessed value of the property of a child or his parent lost through foreclosure is not considered in determining eligibility.

Real property may be owned under any of the following conditions:

1. As separate property
2. As community property
3. In joint tenancy
4. In tenancy in common
5. In a partnership
6. By a corporation

Differentiation of separate and community property may be necessary if there is a stepparent of a child for whom assistance is requested or granted, as the stepparent's share of community property or his separate property shall not be considered in determining eligibility of the child. Such differentiation would also be necessary if full custody of a child has been surrendered by a parent pursuant to a court order and there has been no property settlement, as the share of the community property and separate property of the parent not having custody of the child shall not be considered in determining eligibility of the child.

If property is held in joint tenancy or tenancy in common by one or more persons, the interest of each owner is deemed to be his equal proportionate share of the total assessed value of the property.

In considering land owned by an Indian, the value of lands held in trust for him by the U.S. Government shall not be taken into consideration in determining eligibility. The ward Indian has only an equitable interest in such lands and since title is held by the Federal Government, the property is not subject to assessment or taxation. However, an Indian may live on the reservation and still own land, not a part of the reservation, in his own right which shall be considered. (WRC 1521.5, 1560)

C-310 ASSESSED VALUE OF REAL PROPERTY

C-310

The assessed value of real property shall be the current county assessed value, including exemptions allowed for tax purposes, as entered on the records of the assessor of the county in which the property is located.

(Section Continued on Next Page)

C-320 (Continued)

C-320

If at any time a child for whom assistance is granted, or his parent, becomes possessed of real property in excess of the maximum allowed, the applicant or person legally responsible for the child is responsible for notifying the county immediately.

The determination shall include a follow-up of any statement or information obtained regarding the possibility of property ownership through the existence of an estate. If property is inherited during the receipt of assistance and is available to the child or his parents prior to distribution of the estate or the estate is distributed, its value shall be determined and considered together with the value of other real property holdings.

Information pertaining to real property and encumbrances thereon shall be retained in the case record or recorded in the narrative. The recording of interviews or of examination of documents shall include the source, the findings, the dates of steps in the investigation, and the names of those participating in the determination. A complete explanation of any complicated situation regarding the property shall be included in the record.

If a statement is made on the Affirmation of Eligibility, Form CA 206, that the child or his parents has not acquired real property since the last redetermination of eligibility and a previous determination of real property is included in the record, no further determination of real property need be made unless conflicting information arises. In all cases in which property is owned, the current assessed valuation of property shall be redetermined by review of the current tax statements to insure that eligibility has not been affected by an increase in assessed value of real property. The county shall also redetermine the amount of encumbrances of record against the property.

If changes in property holdings are reported on Form CA 206 or otherwise come to the attention of the county, a complete redetermination of property holdings shall be made. If real property has been acquired by purchase, exchange, or gift, the assessed valuation shall be determined together with the assessed value of all other property owned to ascertain that the total assessed value of all property owned does not exceed \$3,000. If property is purchased, the terms of the purchase and plan of payment shall be ascertained. (W&IC 1560)

C-325 PERSONAL PROPERTY REQUIREMENTS

C-325

A child shall be considered eligible with respect to personal property if the cash and securities owned by a whole orphan child or by the parents and one or more children combined in one family do not exceed \$600. Even though the parents are living separate and apart, the cash and securities of both parents shall be considered, except:

(Section Continued on Next Page)

C-320 (Continued)

C-320

If inconsistent or conflicting information arises, a property search shall be made in the locality in which the property is located, to determine ownership of property and, if property is owned, the county assessed valuation of property.

If an interest in real property such as unpatented mining claims, timber, oil, or mineral rights or leaseholds, cemetery property held for profit, etc., is owned, the assessed value shall be determined. If the assessed value is not otherwise obtainable, the county shall ask the county assessor to make a determination of its assessed value, which shall be used in establishing eligibility. If it is impossible to obtain the county assessed value, the quick sale value of the property shall be obtained and this value substituted for the county assessed value.

For the purpose of establishing eligibility, if the assessed value of other real property holdings approaches the maximum, the value of any cemetery, mausoleum, or columbarium property intended for the use of the owner or his family shall be determined in accordance with the assessed value of similar property which is held for profit in the same or comparable cemetery, mausoleum, or columbarium.

If there is a question regarding ownership of, or assessed valuation of, property in another county within the state and tax statements are not available, the county may request a property search by correspondence with the county welfare department in the county in which the property is located. Questions regarding valuation of property located outside the state may be cleared with the county assessor, or other proper public official, or the county welfare department in the locality in which the property is located.

To determine ownership and assessed valuation of real property located outside the U. S., the county may correspond with the unit of government or public official concerned if no language barrier exists. If a language barrier exists, inquiry may be directed to an American Consul in the country concerned. The nearest representative of the other country may also be consulted.

If exemptions for tax purposes are deducted from the assessed value before entry in the assessor's record or on the tax statement, the exact amount of exemption shall be added to the recorded sum to determine the true assessed value.

The existence, amount, and duration of all encumbrances to be deducted from the assessed value of real property shall be determined. A search of the county recorder's records may be necessary for determination of an encumbrance. However, this information can usually be obtained by inspection of the document in the owner's possession or by interview or correspondence with the holder of the mortgage or note.

(Section Continued on Next Page)

C-327 (Continued)

C-327

2. Securities include:

- a. Current net cash surrender value of insurance, excluding policies in effect five years or longer if the aggregate net value at maturity does not exceed \$1,000.
- b. Market value of stocks, bonds, notes, mortgages, deeds of trust, etc.
- c. An heir's interest in an undistributed estate if the property in the estate is cash or securities and is available prior to the distribution.

B. INCREASE OF PERSONAL PROPERTY WHILE RECEIVING ASSISTANCE

1. The following shall be considered personal property immediately upon receipt and thereafter:

- a. Cash received in a lump sum from the surrender or maturing of insurance policies owned by the parents or the child.
- b. Cash received as beneficiary of an insurance policy carried by a deceased spouse, including OASI lump sum death payments received by the parent (or child if he is a married minor) as spouse of an insured worker.
- c. Payments received because of judgments or settlement in lieu of a judgment or nonrecurring lump sum payments received because of compensation laws.
- d. Cash or securities received by inheritance.
- e. Nonrecurrent lump sum payments received from retirement or pension systems by a former member or the spouse; e.g., State Employees Retirement System, Federal Employees Retirement Fund under the U.S. Civil Service Commission, retirement plans of private corporations, etc.
- f. Proceeds, exclusive of interest, from the conversion of personal property, such as the sale of stocks or bonds, or the sale of real property.
- g. Proceeds resulting from the sale of livestock, poultry, etc., other than the increase.
- h. A trust, if the property is actually available in whole or in part.

(Section Continued on Next Page)

C-325 (Continued)

C-325

1. If full custody of the child has been surrendered by a parent pursuant to a court order, that parent's cash and securities shall not be considered. However, if there has been no property settlement, the share of community cash and securities of the parent who has custody as well as his separate cash and securities, if any, shall be considered in determining eligibility. If there has been a property settlement, the property awarded the parent having custody of the child along with any other property of that parent shall be considered. Court orders for support of the child or property settlements involving income shall constitute a potential source of income, therefore, the investigation and determination of the availability thereof shall be made in accordance with Sec. C-366, Determination of Amount of Contribution from an Absent Parent.
2. If a parent has relinquished the child for adoption and the relinquishment has been filed with the SDSW, the cash and securities of that parent shall not be considered.
3. If the father of the child is not married to the mother and the parents are not maintaining a home together, the property of the father shall not be considered, unless the father has legitimized the child under Sec. 230 of the Civil Code.

Each whole orphan of a group of whole orphans of one family may have cash and securities valued at \$600. The parents and one child or the parents and several children may have combined cash and securities valued at \$600.

(W&IC 1521, 1560)

C-327 DEFINITION OF PERSONAL PROPERTY

C-327

Personal property considered in determining eligibility shall be restricted to cash and securities.

A. PERSONAL PROPERTY AT THE TIME OF APPLICATION

1. Cash includes:
 - a. Cash on hand
 - b. Commercial or savings accounts
 - c. Postal savings accounts
 - d. Building and loan accounts

(Section Continued on Next Page)

C-330 (Continued)

C-330

The full market value of notes or other securities which have been assigned or placed as collateral to assure payment of certain debts shall be considered in determining eligibility for assistance, unless actual transfer of ownership is affected.

The child's or his parent's share of any estate, which share has not been distributed and of which either has no **present** economic use, shall not be considered.

Funds held in an escrow account, which can be revoked only upon the consent of all parties involved, are not available for use and shall be disregarded in determining eligibility. Pending actual conveyance of title to the purchaser, funds placed in escrow by him for the purchase of a specific piece of property do not affect eligibility of either the purchaser or the seller. When all conditions of the sale, or other conditions which the escrow guarantees, have been met and the escrow is completed, the personal property thus becoming available to the seller shall be considered in determining eligibility for assistance.

If a child or parent does not have control of all or part of a trust of which he is the beneficiary, the personal property in the trust or that portion not under his control shall not be considered in determining personal property holdings. If ownership of the trust is dependent upon the occurrence of a certain event, such as the beneficiary attaining the age of 21 years, such trust is not considered the property of the beneficiary until the stipulated event occurs.

If assets are frozen, i.e., unavailable to the owner through no voluntary act on his part and unobtainable by any voluntary act on his part, they shall not be considered in determining eligibility. An interest as evidenced by deposits, certificates of ownership, etc., in defunct banks, building and loan associations, or other organizations may be frozen insofar as obtaining funds from the particular bank, or other institution, is concerned. However, the interest in such property may be salable at a discount. Such salable value represents personal property to be considered in determining eligibility.

Personal property may be owned under any of the following conditions:

1. As separate property
2. As community property
3. In joint tenancy
4. In tenancy in common
5. In a partnership
6. By a corporation

(Section Continued on Next Page)

C-327 (Continued)

C-327

2. Cash or securities received from any of the following sources shall be considered as income for the month received. The amount which remains from such income as of the first of the following month shall be considered as personal property together with other personal property holdings.
 - a. Proceeds from farm crops
 - b. Commissions
 - c. Regular periodic compensation payments, both industrial and unemployment
 - d. Annual rentals for farm lands
 - e. Earnings of personal property such as interest or dividends
 - f. Cash received by eligible children as beneficiaries of an insurance policy, or by parents, except if the parent or married minor child is a beneficiary of a spouse's insurance policy. (W&IC 1521.2, 1560)

C-330 OWNERSHIP OF PERSONAL PROPERTY

C-330

The term "owner" includes all persons who hold title, either legal or equitable, to **personal property**, regardless of its location.

Personal property is considered to be owned if it is held under any of the following conditions:

1. Clear of all indebtedness
2. Subject to a mortgage, or other obligation against it, or if it has been placed as collateral
3. Subject to purchase from another party under a conditional ~~sales~~ contract
4. Subject to sale to another party under a conditional sales ~~contract~~
5. In an undistributed estate if the property is actually available prior to distribution of the estate
6. In a trust if the property is actually available in whole or in part.

(Section Continued on Next Page)

C-335 (Continued)

C-335

1. If the policy has been in effect less than 5 years, consider the current net cash surrender value of the entire policy.
2. If the policy has been in effect five years or more, consider the current net cash surrender value of that portion of the total net maturity value of the policy which exceeds \$1,000. If there is more than one such policy, consider the current net cash surrender value of that portion of the total net maturity value of the aggregate policies which exceeds \$1,000.

Personal property shall not include insurance policies which have been in effect 5 years or more if the aggregate net maturity value is in an amount of \$1,000 or less.

Example 1: A father is the only member of the family with an insurance policy. The father's policy, issued 1/15/25, has a face value of \$2,000 but there is a loan against the policy of \$500 making the net value at maturity \$1,500. The current net cash surrender value of the policy is \$900. The first \$1,000 of the net value at maturity is exempt from consideration. Therefore, the current net cash surrender value of \$500 (that portion of the net value at maturity which exceeds \$1,000) constitutes personal property, the value of which is determined to be \$300 as follows:

$$\$500^* \times \frac{\$900 \text{ net cash surrender value}}{\$1,500 \text{ net value at maturity}} = \$300$$

* \$1,500 net value at maturity minus \$1,000 exemption

Example 2:

A family owns insurance policies as follows:

Policy	Issued	Face Value	Loans	Net Value at Maturity
1	6/5/49	\$500		\$500
2	5/3/33	\$900	\$100	\$800
3	6/15/32	\$200		\$200
Total net value at maturity				\$1,500

Policy 1 has been in effect less than five years. Therefore the current net cash surrender value of this policy must be determined and included with the value of other personal property. Since both policies 2 and 3 have been in effect more than five years and the aggregate net maturity value of the two policies is \$1,000, these policies are not considered in determining eligibility and it is not necessary to determine the current net cash surrender value of them.

(Section Continued on Next Page)

C-330 (Continued)

C-330

Differentiation of separate and community personal property may be necessary if there is a stepparent of a child for whom assistance is requested or granted, as the stepparent's share of community property or his separate property shall not be considered in determining eligibility of the child. Such differentiation would also be necessary if full custody of a child has been surrendered by a parent pursuant to a court order and there has been no property settlement, as the share of the community property and separate property of the parent not having custody of the child shall not be considered in determining eligibility of the child.

The personal property which is the exclusive property of a child who is not eligible for ANC shall not be considered in determining the eligibility of other children in the family.

If a child in a family group has an amount in trust which is restricted for his use alone by the terms of the trust or by court order, and which is in excess of the \$600 allowed, the other children in the family shall not be disqualified for assistance because of this fact.

Example: Mary, one of five children for whom application is made by their mother, has \$1,000 which was awarded her because of injuries in an accident. By court order it is set aside for her use only. Mary would not qualify for assistance, but the eligibility of the other children would not be affected.

If there are no restrictions on the use of money received as a judgment, or from other sources, such money shall be presumed to be available to the family and shall be considered in determining eligibility.

A person named as co-owner and having possession of a U. S. savings bond shall be presumed to be the owner thereof, unless such ownership is refuted. If the contention is made that all of the funds used to purchase the bond did not belong to the person and that the bond was not a gift, that interest which is determined as belonging to the child or his parent shall be considered in determining eligibility. The person whose name appears on the bond as co-owner and who does not have possession of such bond shall be presumed not to own any part of the bond, unless such lack of ownership is refuted. Upon the death of one co-owner the surviving co-owner of any savings bond or other bonds and obligations of the U. S. becomes the sole owner, unless federal laws or regulations governing the issuance thereof provide otherwise. (W&IC 1521.5, 1560)

C-335 INSURANCE AS PERSONAL PROPERTY

C-335

Personal property shall include the value of all life insurance policies on the parents and children to the following extent:

(Section Continued on Next Page)

C-335 (Continued)

C-335

Annuities usually are irrevocable and have no cash or loan value. If annuities have a cash surrender value, this value shall be considered as personal property unless the insurance falls within the exemption allowed in the law.

Paid up additions to the policy may be purchased with the dividends earned by the policy according to an option given to the insured by some companies. If accumulated dividends have been converted into paid-up additions, the amount of the additions shall be considered in determining the net value of the policy at maturity. If the dividends are not used to purchase additions to the policy, but remain with the company where they are available to the applicant upon demand, the amount of such dividends represents personal property which shall be considered in determining eligibility.

The parents of a child who was considered ineligible in the past (or would have been ineligible had application been made) because of the cash surrender value of life insurance held by the parents or children may subsequently borrow on such insurance. If loan is made against the policy or policies of insurance for the purpose of immediate maintenance of the insurance or the family or adjustments are made for some other purpose than to qualify for assistance, eligibility is not impaired, provided personal property holdings are within the maximum, even though the loan against the insurance may have reduced the current net cash surrender value in sufficient amount to render the child no longer ineligible because of personal property. (W&IC 1521.2, 1560)

C-337 JUDGMENTS, COMPENSATION, INHERITANCE, AND GIFTS AS PERSONAL PROPERTY

C-337

A lump sum received as the result of compensation laws or in payment of a punitive judgment granted because of damages sustained by either the person or property of the child or parent represents personal property.

If weekly or other periodic payments are received as benefits under the provision of compensation laws, such payments represent income rather than personal property.

The value of a judgment which has not been executed shall be considered in determining eligibility under personal property requirements. If the judgment is against a solvent corporation, the value of the judgment shall be considered to be equal to the amount of the judgment. If the judgment is against someone other than a solvent corporation, the county shall determine the ability of the judgment debtor to pay.

(Section Continued on Next Page)

C-335 (Continued)

C-335

If total insurance holdings of a family consisting of a number of policies which have been in effect five years or more have a net maturity value in excess of \$1,000, the current net cash surrender value of that portion of the insurance to be eliminated from consideration as personal property shall be determined by the combination of such policies which best operates to the advantage of the child.

An insurance policy which has no cash surrender value is not an available resource for the support of the child and has no effect upon the personal property status.

The following definitions of life insurance terms may be helpful in considering the value of life insurance policies.

Net value at date of maturity is determined by adding the amount of paid-up additions, if any, to the face value of the policy and subtracting the amount of any loans made by the company against that policy.

Date of maturity is the date on which the net value at maturity becomes due and payable. Most insurance policies do not mature until the death of the insured. A "20 or 30 pay" life insurance policy normally matures upon the death of the insured and not with the completion of the premium payments or at the end of any specified period of time. However, the net maturity value of an endowment policy becomes payable at the expiration of a specified period, e.g., 20 years in the case of a 20-year endowment. Upon reaching the maturity date, the net maturity value of the policy becomes personal property to be considered in determining eligibility. The fact that the insured elects to leave the funds representing the maturity value of the endowment policy on deposit with the company does not alter this situation.

Current net cash surrender value is determined by subtracting from the cash surrender value of the policy or policies the amount of any loans made by the company against that policy or policies, and unpaid interest thereon.

Date of policy is the date on which the policy was issued, and this date shall be considered in determining the age of the policy. However, if a new or adjusted policy is issued in lieu of another, and the original policy gave the insured the option of converting it, the converted policy is treated as a continuation of the original, and the date of issuance of the original policy is considered. A new policy issued not by reason of any rights granted in the original policy but as a new and unrelated contract, is considered to have been in existence only from the date the policy was issued.

(Section Continued on Next Page)

C-340 (Continued)

C-340

If the applicant or person legally responsible for the child states that the child, his parents or minor siblings own cash or securities, an investigation shall be made.

The statement of the applicant or person legally responsible for the child shall be accepted as evidence of cash on hand and may be accepted as evidence of cash in safety deposit boxes.

Determination of the amount of funds in a bank account, postal savings accounts, or building and loan associations shall be made from the individual's account book, unless the book is not available or there is conflicting information. In such situations information shall be secured from the institution concerned, either by the applicant or by the county.

If a parent's or child's name appears with that of another person on a joint or trustee account, there is the presumption that the parent or child is the owner of all of the funds in the account. If the parent contends that all of the funds in the account do not belong to him or the child, effort shall be made to establish his interest in it. That portion which is established as belonging to the parent or child is considered in determining eligibility. Oral or written statements as to the ownership of the funds shall be secured from all the parties concerned in a joint account. If it is not possible to secure statements from all the parties to the account or the statements do not agree as to the ownership of the funds, further evidence shall be secured.

If a building and loan association or other financial concern in which money is deposited is in process of liquidation under receivership proceeding, the current market value of the building and loan certificates or other evidence of interest therein shall be considered rather than the actual amount deposited with the company.

The current market value of notes, mortgages and deeds of trust, i.e., the amount which could be realized if such instruments were offered for quick sale, shall be ascertained and considered in determining eligibility. An estimate of the current market value of notes, mortgages, and deeds of trust shall be secured from local bankers, realtors, loan companies, or others qualified to make such estimates.

The current market value of stocks and bonds shall be considered in determining the value of personal property holdings.

(Section Continued on Next Page)

C-337 (Continued)

C-337

If the judgment cannot be executed because the debtor or his property cannot be located, or the judgment creditor has the judgment vacated, the value of the judgment shall not be considered in determining eligibility.

If a judgment is the subject of an action brought by the judgment debtor in a higher court to vacate the judgment, and the judgment creditor is prohibited from executing the judgment, that portion of the value of the judgment remaining unsatisfied shall not be considered in determining eligibility while court action is pending.

A cash settlement accepted in lieu of a judgment is considered personal property.

The value of personal property acquired through inheritance shall be considered together with the value of other personal property holdings in determining eligibility. However, if the parent or married minor child receives personal property through the death of the spouse, or is the beneficiary of insurance of a spouse or of a child, such property or funds may be considered as being encumbered or charged with the funeral expenses of the deceased. If determination is made that all or a portion of such property or funds have been or are to be used to defray such expenses, these funeral costs shall be deducted before determining the net value of the property. Only the net value, computed after deduction of funeral expenses, shall be considered in determining eligibility.

The value of personal property acquired by gift shall be considered in determining eligibility. A gift is the separate property of the person receiving it. (W&IC 1560)

C-340 DETERMINATION OF PERSONAL PROPERTY

C-340

The county shall determine the value of all cash and securities owned by the child, his parents, and minor siblings in the family group.

If the applicant or person legally responsible for the child states that the child, his parents, and minor siblings in the family group own no cash or securities, no further investigation is necessary with respect to personal property currently owned, unless conflicting information arises.

(Section Continued on Next Page)

C-340 (Continued)

C-340

Determination shall be made by examination of the policies or, if the policies are not available or do not contain sufficient information, through correspondence with the insurance company. Determination shall be made even though the premiums may be paid by other than the insured. The county record shall contain the following information regarding each policy: type of policy, date of issuance of policy, amount of premiums and by whom paid, current net cash surrender value, face value, loans outstanding, value at maturity, beneficiaries, disability or other special benefits.

In determining the value of an inheritance, if any, which is available before distribution, consideration shall be given to know indebtedness and to an estimate of the administrative costs exclusive of inheritance taxes. This estimate of administrative expense (exclusive of inheritance tax) shall be deducted from the appraised value as filed with the probate court in determining the net amount of personal property available prior to distribution.

If two or more heirs have an undivided interest in an undistributed estate which is in fact available prior to distribution, each is considered to have an interest in proportion to the number of known heirs.

The value of personal property may increase or decrease due to the fluctuating nature of the value of individual holdings; for example, the value of stocks and other securities. In general, the current net cash surrender value of insurance increases with the lapse of time.

If the value of personal property holdings of the parent or child approaches the maximum permitted under the law, a slight variation in the value of an individual holding may affect eligibility, and a redetermination of the value is necessary at frequent intervals. If personal property is of fluctuating value and approaches the maximum, its value shall be redetermined at least every three months.

If changes in the value of personal property holdings as previously determined are reported, a complete redetermination of all personal property holdings shall be made. If there is a marked deviation in personal property holdings from those possessed when the preceding determination was made, the reason for such deviation shall be determined and recorded in the narrative. If personal property was formerly substantial in amount and the amount has been appreciably reduced, funds may have been converted into other forms of personal property. If there has been an appreciable increase in personal property; e.g., a bank account, the source of the increase shall be ascertained.

(Section Continued on Next Page)

C-340 (Continued)

C-340

The current market value of United States Savings Bonds (Series A to E, inclusive) increases according to the table of values on the back of the bonds. Redemption values increase on the anniversary dates which fall at six month intervals following the first of the month in which the bond was originally issued. Redemption values for several denominations of Series E bonds are listed in the following table:

SERIES E WAR BONDS

Year after month of issuance	\$25	\$50	\$100
-- $\frac{1}{2}$	\$18.75	\$37.50	\$75.00
$\frac{1}{2}$ --1	18.75	37.50	75.00
1-- $1\frac{1}{2}$	18.87	37.75	75.50
$1\frac{1}{2}$ --2	19.00	38.00	76.00
2-- $2\frac{1}{2}$	19.12	38.25	76.50
$2\frac{1}{2}$ --3	19.25	38.50	77.00
3-- $3\frac{1}{2}$	19.50	39.00	78.00
$3\frac{1}{2}$ --4	19.75	39.50	79.00
4-- $4\frac{1}{2}$	20.00	40.00	80.00
$4\frac{1}{2}$ --5	20.25	40.50	81.00
5-- $5\frac{1}{2}$	20.50	41.00	82.00
$5\frac{1}{2}$ --6	20.75	41.50	83.00
6-- $6\frac{1}{2}$	21.00	42.00	84.00
$6\frac{1}{2}$ --7	21.50	43.00	86.00
7-- $7\frac{1}{2}$	22.00	44.00	88.00
$7\frac{1}{2}$ --8	22.50	45.00	90.00
8-- $8\frac{1}{2}$	23.00	46.00	92.00
$8\frac{1}{2}$ --9	23.50	47.00	94.00
9-- $9\frac{1}{2}$	24.00	48.00	96.00
$9\frac{1}{2}$ --10	24.50	49.00	98.00
10	25.00	50.00	100.00

Example: A \$25 Series E Bond purchased June 24, 1949, is worth \$18.75 through May 31, 1950. On June 1, 1950 (the first day of the anniversary month), the value increased to \$18.87, on December 1, 1950, to \$19.00, on June 1, 1951, to \$19.12, etc., according to the values given on the back of the bond.

All pertinent information regarding insurance policies carried in the name of the parent or child shall be determined.

(Section Continued on Next Page)

C-340 (Continued)

C-340

If changes in property holdings are reported on Form CA 206 or otherwise come to the attention of the county, a complete redetermination of property holdings shall be made. If personal property has been acquired by purchase, exchange or gift, the current value shall be determined together with the value of all other personal property owned to ascertain that the total value of all property owned does not exceed \$600. (WaIC 1560)

**C-345 TRANSFER OF PROPERTY FOR PURPOSE OF QUALIFYING
FOR ASSISTANCE**

C-345

A voluntary transfer or assignment of real or personal property made for the purpose of qualifying for ANC results in ineligibility. (WaIC 1560)

C-340 (Continued)

C-340

Personal property of one type may be converted into personal property of another type and eligibility continue, so long as the total value of personal property holdings does not exceed \$600, e.g., the exchange of stocks and bonds for cash.

The following represent some types of conversion of property from one form to another:

1. Principal payments on property sold under contract of sale and principal payments received on a mortgage or similar instrument.
2. Payment received for Indian allotments sold by the U. S. Government upon the petition of the Indian for whom the property is held in trust.
3. Lump sums received from the maturing of life insurance policies or surrender of them for their cash value.

If at any time a child or parent becomes possessed of personal property in excess of \$600, the applicant or person legally responsible for the child is responsible for notifying the county immediately. The county shall redetermine eligibility on the basis of present holdings.

All information pertaining to personal property shall be retained in the case record or recorded in the narrative. The recording of interviews or of examination of documents shall include the source, the findings, the dates of steps in the investigation, and the names of those participating in the investigation. A complete explanation of any complicated situation regarding the property shall be included in the record.

If a statement is made on the Affirmation of Eligibility, Form CA 206, that the child or his parents has not acquired personal property since the last redetermination of eligibility and a previous determination of personal property is included in the record, no further determination of personal property need be made unless conflicting information arises. In all cases in which cash or securities are owned, the current value of property shall be redetermined to insure that eligibility has not been affected by an increase in value of property.

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C-354 SOURCES OF INCOME

C-354

Income may be derived from a number of sources including the following:

1. Earnings of members of the family budget unit.
2. Persons living in the household who are not members of the family budget unit.
3. A parent living outside the home making a contribution under court order or on a voluntary basis.
4. Insurance, pensions, and other benefits; e.g., Unemployment Insurance Benefits, Disability Insurance Benefits, Workmen's Compensation, Old Age and Survivors Insurance, Servicemen's Allowances, allotments from inmates of penal institutions, payments from industrial concerns, unions or lodges, civil or military pensions, annuities, trust funds, etc.
Exception: A single payment of the entire benefit or award is considered personal property, not income.
5. Rental of real property or rental of rooms.
6. Interest or dividends on or rental of personal property.
7. Sale of crops, increase of livestock, or other farm products.
8. Private agencies or individuals.
9. General relief, except county supplementation. (W&IC 1560)

C-356 RESPONSIBILITY OF RELATIVES

C-356

The county shall determine whether there are relatives responsible for the support of the child. Assistance shall not be denied or withheld pending this determination.

A. RESPONSIBILITY OF PARENTS

Parents are responsible for the support and care of their children, natural or adopted. Responsibility for support ceases if a parent has been deprived of custody and control of the child by action of the juvenile court under W&IC 701 or the parent has relinquished the child for adoption and the relinquishment has been filed with the SDSW.

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C-350 INCOME REQUIREMENTS

C-350

All income and resources available for the support of the child shall be determined and related to total needs to establish that a child is "needy." Potential income and resources shall be explored and developed so that they can be made available and related to needs. (See Secs. C-500 through C-509 for determination of need) (W&IC 1511, 1512, 1560)

C-352 DEFINITION OF INCOME

C-352

For purposes of ANC, income shall be considered in determining need if it meets the following criteria:

1. Available--actually usable and not potential
2. Predictable--received with sufficient regularity to be counted on to meet essentials of living
3. Net--remainder after deducting expenses incidental to the receipt of the income
4. Current--received in the month of board action with respect to assistance for that month, or received in the two months preceding board action with respect to assistance for those months

Income may be in cash or in kind. Income in kind is usually in the form of food, shelter, fuel, or clothing and may come from relatives or friends as a contribution, may be in payment for work, or may be produced by the family.

Regardless of the period over which the income accrued, it shall be considered for meeting the needs of the month in which it was received. Cash income remaining at the end of the month in which it was received becomes personal property on the first day of the following month.

Income which is small in amount, unpredictable either as to amount or time of receipt, and of short duration, shall not be considered in determining the amount of the assistance payment.

Such income may be derived from:

1. Occasional employment of parents
2. Occasional earnings of children
3. Occasional rental of rooms
4. Occasional small gifts in cash or kind

(W&IC 1560)

C-356 (Continued)

C-356

or arrangement has been made, his financial circumstances and responsibilities, etc. If, from the discussion of the situation with the mother, it is determined that efforts to secure support or additional support from the putative father would be fruitless, or that such efforts would be contrary to the best interests of the families or children involved (i.e., the family and other children, if any, of the putative father; the family and other children, if any, of the mother; or the child himself), no further action is necessary. The mother may wish to undertake further negotiation with the putative father herself or she may request and authorize the county to do so.

If it is determined that legal action would be desirable, the county shall refer the mother to the proper legal agency for actions such as locating the absent parent, determination of paternity, or obtaining financial support.

C. RESPONSIBILITY OF MINORS

Ordinarily the father and mother are entitled to custody, services, and earnings of the unmarried minor child. The mother is entitled to the custody, services, and earnings of an illegitimate child. The earnings of a minor shall be considered income to the family budget unit, unless the child is emancipated.

The parents may relinquish to the child the right of controlling him and receiving his earnings. Such a release is called emancipation. The parent may emancipate the minor as to his entire earnings or income and yet retain full parental control of him in all other respects; the emancipation may be either expressed or implied; that is, it may be expressed in writing or orally, or by the actions of the parent and child.

If it appears that the emancipation was made for the purpose of qualifying a member of the family for assistance or for a greater amount of assistance than that to which they would otherwise be entitled, such emancipation shall be considered ineffectual.

There is a presumption that a child living under the parental roof is not emancipated, and, in order to establish emancipation in such instances, clear and convincing evidence sufficient to refute the presumption must be presented. Such evidence may be that emancipation was made prior to the application for assistance or that the need of assistance was due entirely to factors other than the emancipation.

(Section Continued on Next Page)

C-356 (Continued)

C-356

For purposes of ANC, the word "father" includes:

1. The father not married to the mother
2. The divorced father, whether or not he has custody
3. The father of an unborn child, whether or not he is married to the mother
4. The mother's husband unless the presumption of paternity has been refuted

The mother shall not be required to work to provide partial or full support for her children.

If deprivation of parental support or care is due to the death, continued absence, or incapacity of the mother, and the father cannot meet living expenses according to the ANC standard, assistance shall be granted as long as the children are otherwise eligible. If the father is remaining at home to care for his family, he shall be assisted in planning for the care of his family so that he may accept available employment.

If one or both parents are absent, the total financial resources of both parents shall be determined if possible. Usually the applicant is able to provide information about the absent parent, his resources, and his interest in the child, such as:

1. Whereabouts of the absent parent
2. Reason for his departure
3. His present occupation, income, resources
4. His known obligations, health, dependents
5. His interest in the family and attitude towards the child: Whether he writes home, visits, sends gifts or remembrances, and responds to family emergencies
6. Arrangement for support payments: Amount and regularity of their receipt and whether they are voluntary or by court order

If it is determined that legal action would be desirable, the county shall make referral to the proper legal agency for actions such as locating the absent parent or obtaining financial support.

B. RESPONSIBILITY OF PUTATIVE FATHER

Establishment of paternity is not required in order to grant assistance or to help the family make living plans. If the father of the child is not married to the mother, the county shall obtain from the mother such information concerning him as she is able and willing to provide. Desirable information includes the name of the putative father, his whereabouts, his attitude toward the mother's situation and the child, his attitude toward supporting the child, whether paternity has been acknowledged or legally established, whether any financial settlement

(Section Continued on Next Page)

C-358 DETERMINATION OF INCOME - GENERAL

C-358

The county shall determine the amount of income available for the child's support. A redetermination shall be made whenever there is a change in income and also at the time of the annual redetermination of eligibility.

The county shall also determine whether there is potential income available for support from public or private sources other than earnings from employment of which the parent or person responsible for the child may not be aware. Clues as to possible sources of potential income may be obtained from employment, military, or personal history of the parents or other members of the family, even though the parents or other members of the family are no longer living. All clues indicating a possibility of potential income shall be followed up and if presumptive eligibility for any type of income is found to exist, procedures for making the income actually available shall be outlined to the parent or person responsible for the child and proper referrals made.

Although it is the responsibility of the applicant or person responsible for the child to keep the county informed of changes in income, the county shall be alert to possible changes and shall follow all clues indicating the possibility of a change.

The county shall make inquiry concerning all sources of income. If the applicant or the person legally responsible for the child states there is no income, and there are no clues as to potential income, the statements shall be recorded in the narrative and no further investigation is necessary unless conflicting information arises.

If the applicant or person responsible for the child states there is income, his statement concerning the amount, sources, and expenses incident to the receipt of the income, shall be recorded in the narrative. If he is unable to give complete and accurate information or if there appears to be conflicting information, further evidence shall be obtained to make the determination, such as records, receipts, documents, or correspondence in his possession, or by his securing necessary statements from the appropriate source. The county shall assist him if he has difficulty in supplying this information.

The narrative shall include the basis for the determination of the amount of income received, and whether it is actually available, predictable, net, and current. Supporting evidence shall be included in the record or recorded in the narrative. The determination of net income shall be recorded in the narrative or shown on Form CA 241A, Worksheet for Computation of Net Income and Total Income Available (Optional).

(Section Continued on Next Page)

C-356 (Continued)

C-356

The child not living under the parental roof shall, on the declaration of the parents, be considered to be emancipated if he is using his earnings and income for his own support. This presumption of emancipation may be refuted by clear and convincing evidence that the parent has not emancipated the child and is, in fact, appropriating any portion of the child's earnings or income.

Example: If the child has been permitted by the parent to retain his earnings without an accounting to the parent, such child would be deemed emancipated in respect to his earnings.

To assist further in determining emancipation, the following should be ascertained:

1. Did the child obtain his job through his own efforts or was the job obtained by his parents?
2. Does the child collect his own pay?
3. Does the child retain his portion of his earnings and turn over only the amount agreed upon to the parent?

D. RESPONSIBILITY OF STEPPARENTS

A stepfather is not legally responsible for the support of his step-children even though he is able to support them. However, inclusion of the stepfather in the county's planning with the family may increase his interest in giving needed care and guidance to his stepchild. He may also, voluntarily, provide partial support if he is able.

Since the husband is responsible for his wife, a stepfather who is able shall assume support for his wife even if he is unwilling or unable to contribute to the financial support of the stepchildren. A stepparent who is needy shall be included in the family budget unit.

E. RESPONSIBILITY OF SIBLINGS

Adult children and non-needy emancipated minors are not responsible for their brothers and sisters. (W&IC 1560)

C-364 DETERMINATION OF INCOME FROM PERSONS LIVING IN THE HOUSEHOLD

C-364

A. PARENTS

The net monthly income from the earnings of a parent living in the household shall be computed by deducting from his take-home pay (the amount he receives after all involuntary deductions) the actual expenses incurred because of the employment which includes:

1. Additional food - the cost of lunches or other meals necessarily purchased away from home due to employment.
2. Additional clothing - the cost of purchase of clothing for employment. While the purchase of new clothing may not be necessary, employment may result in increased cost of clothing replacement. This expense is to be considered in addition to the allowance in the Cost Schedule for clothing for an employed woman.
3. Laundry and cleaning service - the cost of laundry and cleaning service, if necessary because of employment.
4. Transportation - the cost of transportation incident to employment.
5. Union dues - if paid.
6. Equipment - the cost of tools or other equipment necessary for the employment.
7. Other expenses incident to the employment, such as cost of care of children while the mother works.

If weekly earnings are regular in amount, they may be prorated to monthly amounts on the basis of 4 1/3 weeks per month. If earnings are irregular in amount, actual earnings received in the calendar month shall be considered.

B. MINORS

The county shall determine whether or not the minor is currently emancipated since this affects the treatment of income.

1. Earnings of Unemancipated Minor - The net monthly income to the family budget unit from the unemancipated minor's earnings shall be determined by deducting from his take-home pay (the amount remaining after all obligatory deductions are made) the following:

(Section Continued on Next Page)

C-358 (Continued)

C-358

The narrative shall also include information obtained regarding potential income other than earnings from employment, any referrals made for securing potential income, and follow-up as to the results of referrals. Assistance shall not be denied or withheld pending a determination of the availability of potential income. Refusal by the parent or person legally responsible for the child to take steps to acquire income from potential sources shall be a proper cause for denial or discontinuance of assistance. (W&IC 1560)

C-360 DETERMINATION OF INCOME SPECIFICALLY DESIGNATED FOR A CHILD

C-360

Income specifically designated for a child by court order or by the terms of the agency or person providing the income shall be determined and considered as follows:

1. If the child's total need (including the total need of the caretaker) in accordance with the ANC standard, is greater than the income available, the child is in need. In this situation, the child and the caretaker are included in the family budget unit, and the income is considered as available to the family.
2. If the child's total need (including the total need of the caretaker) in accordance with the ANC standard, is less than the income available, the child is not in need. In this situation the child and the caretaker are excluded from the family budget unit, and the income is not considered available to the family.

Example: A minor child living with his mother (who is the caretaker) and four minor brothers and sisters has separate income of \$95 per month, received as the result of an accident. The child's and the mother's needs total \$85, including food, clothing, personal needs, recreation, transportation, insurance, medical care, and their prorated share of housing, utilities, household operations, education and incidentals, telephone, and special needs common to the household in accordance with the ANC standard. Assistance is granted for the four brothers and sisters, but not for this child and the mother since the income meets their need. The surplus income may not be applied to the needs of the brothers and sisters since it is specifically designated for the one child. (W&IC 1560)

C-362 DETERMINATION OF INCOME IN THE FORM OF GOODS AND SERVICES

C-362

If goods or services (such as food or clothing, etc.) are received by any member of the family budget unit, a determination shall be made as to whether these represent income, and if so, the money value of such income.

In determining the money value, the unit cost given shall be those figures in the latest Form Gen M-45, Cost Schedule, Form Gen M-39, Computation Sheet for Food Budget, Form Gen M-40, Clothing Budgets, and Form Gen M-42, Computation of Budget for Household Operation. The amount of goods on which a money value is placed shall be limited to that quantity included in the ANC standard for the number of persons to whom the income is allocated. (W&IC 1560)

C-364 (Continued)

C-364

C. OTHER MEMBERS OF THE FAMILY BUDGET UNIT

The county shall determine whether a stepparent, ineligible minor, or person required to act as the child's caretaker is needy before such person is included in the family budget unit. If such person states he is not needy, no further investigation need be made. If he states he is needy, income shall be determined as for a parent and considered as follows:

1. If the person's total need, in accordance with the ANC standard, is greater than his net income, the person is in need. In this situation, he is included in the family budget unit and his net income is considered available to the family.
2. If the person's total need, in accordance with the ANC standard, is less than his net income, the person is **not in need**. In this situation, he is not included in the family budget unit and only that portion of his income which represents a net contribution, if any, is included as income available to the family budget unit.

If a stepfather states he is able to support his wife, she shall be excluded from the family budget unit. However, her net separate income shall be considered as income available to the family budget unit.

If a stepfather states he is unable to support his wife, although he is able to meet his own needs, the county shall determine the stepfather's net income and relate it to the needs of the stepfather and his wife to determine whether the wife is to be included in the family budget unit. The wife shall be included in the family budget unit only if the stepfather's income does not meet the total need of both.

If a needy stepparent or non-needy stepfather who states he cannot support his wife fails or refuses to disclose complete and accurate information concerning income, such failure or refusal shall be proper cause for excluding the needy stepparent or wife of the non-needy stepfather from the family budget unit.

D. PERSONS NOT MEMBERS OF THE FAMILY BUDGET UNIT

Net income to the family budget unit from persons in the household, including the non-needy emancipated minor and the adult child, shall be determined by deducting from their actual payment:

(Section Continued on Next Page)

C-364 (Continued)

C-364

- a. 25% (not to exceed \$15) of the take-home pay for personal incidentals, increased recreational needs, and community participation.
- b. An amount which may be set aside by the minor from earnings for future educational plans agreed upon with the county.
- c. The actual expenses incurred because of employment, as follows:
 - (1) Additional food - the cost of lunches or other meals necessarily purchased away from home due to employment.
 - (2) Additional clothing - the cost of purchase of clothing for employment. While the purchase of new clothing may not be necessary, employment may result in increased cost of clothing replacement.
 - (3) Laundry and cleaning service - the cost of laundry and cleaning service if necessary because of employment.
 - (4) Transportation - the cost of transportation incident to employment.
 - (5) Union dues - if paid.
 - (6) Equipment - the cost of tools or other equipment necessary for the employment.
 - (7) Other expenses incident to the employment.
2. Earnings of Needy Emancipated Minor - The emancipated minor under 18 who is needy shall be included in the family budget unit and his net earnings deducted as income. An emancipated minor is needy if his net earnings do not cover his total needs (including his prorated share of household expense). In determining the net income from the earnings of the emancipated minor, the same method is used as that outlined above for the employed parent.

If weekly earnings are regular in amount, they may be prorated to monthly amounts on the basis of 4 1/3 weeks per month. If earnings are irregular in amount, actual earnings received in the calendar month shall be considered.

(Section Continued on Next Page)

C-366 DETERMINATION OF AMOUNT OF CONTRIBUTION FROM AN ABSENT PARENT

C-366

The county shall determine the ability and willingness of the absent parent to contribute to the support of his child and the amount of the actual contribution being made.

If the absent parent is under court order to contribute, the county shall accept the findings of the court as the determination of his ability to contribute. If the county learns that the parent's financial circumstances have improved subsequent to the court's findings, the county should make referral to the court or other proper agency for reconsideration of the amount of contribution. A court order is not evidence that the amount specified is being contributed. The county shall determine the amount of the actual contribution. If the applicant is unable to provide this information, a statement shall be accepted from the probation officer or other responsible agent, or from the person to whom or through whom the money is paid.

If the absent parent is not under court order to support the child, the county shall determine his ability to contribute by considering all aspects of his financial circumstances. The county shall record in the narrative the determination of the absent parent's monthly income and expenses which shall include:

1. Living plan (whether maintaining a household, boarding, paying rent and taking meals out, etc.)
2. Income
3. Monthly expenditures necessary for maintenance, such as:
 - a. Costs of food, shelter, clothing, etc.
 - b. Expenses incident to employment
 - c. Cost of support and care of other dependents
 - d. Legal obligations, debts, medical and dental needs, etc.

Assistance shall not be denied or withheld because of the refusal or failure of an absent parent to contribute to the support of his child in accordance with his financial ability, whether or not there is a court order. (W&IC 1560)

C-368 DETERMINATION OF INCOME FROM UNEMPLOYMENT OR DISABILITY INSURANCE

C-368

The county shall determine the amount of Unemployment Insurance Benefits or Disability Insurance Benefits being received by any member of the family budget unit or whether any such person is potentially eligible for such insurance benefits. Weekly benefits shall be prorated to monthly amounts on the basis of 4 1/3 weeks per month.

(Section Continued on Next Page)

C-364 (Continued)

C-364

1. Food, in accordance with the ANC Cost Schedule, if he eats at home.
2. His prorated share of household operations, utilities, rent (or housing expense), and special needs common to the household.

If a person paying board and/or room is living in the household, the net income to the family budget unit shall be determined by deducting from the boarder's and/or roomer's actual payment the following expenses:

1. The actual cost of food, if boarding
2. The person's prorated share of rent (or housing expenses)
3. The person's prorated share of utilities, household operations, and special needs common to the household, plus any amount by which the cost of a utility exceeds the allowance given in the Cost Schedule
4. Laundry, cleaning, and replacement of linen expenses incident to the rental of a room

If a recipient of OAS, ANB, or APSB is living with the ANC family and he contributes to the family, the net income to the family shall be determined by deducting from the total amount contributed the OAS-ANB basic food value and the prorated share of household operations, utilities, rent (or housing expense), and special needs common to the household.

If a recipient of OAS, ANB, or APSB is living with the ANC family and his entire grant and income is pooled with the family, the net income to the family shall be determined by deducting from the total amount pooled with the family the need items for such an individual in accordance with the OAS-ANB basic needs values for food, transportation, clothing, incidentals and personal needs, special needs, if any, and the prorated share of household operations, utilities, rent (or housing expense), and special needs common to the household, plus \$10 regular expenses incident to blindness in the ANB or APSB cases.

The OAS-ANB basic needs are valued as follows:

Food - - - - -	\$28.50
Housing- - - - -	15.00
Utilities- - - - -	6.30
Clothing - - - - -	6.20
Housing, Maintenance, and Replacement- - - - -	4.50
Transportation - - - - -	4.50
Incidentals- - - - -	<u>10.00</u>
Total	\$75.00

(W&IC 1560)

C-370 (Continued)

C-370

In rural areas where traveling distance to the field office is not convenient for referral, there is an "itinerant service." The county shall communicate with the OASI field office to obtain a schedule of this service and to make necessary arrangements for the applicants, presumptively eligible for insurance payments, to be interviewed. The county shall furnish the field office with the name, address, social security number, and name of the insured if the prospective claimant is other than the wage earner under whose account benefits may be payable.

In order that the Form DPA 1 shall be forwarded to the local field office only when presumptive eligibility exists, the use of Form DPA 2, Inquiry Form for Determining Presumptive Eligibility of a Wage Earner for OASI Benefits and Form DPA 3, Inquiry Form for Determining Presumptive Eligibility of Other than a Wage Earner for OASI Benefits, is suggested. These are work sheets and are not forwarded to the OASI field office. Their use by the county is optional if all information covered by them is included in the narrative.

The Bureau of OASI recommends that each county designate one of its staff as liaison officer between the county and the OASI field office to discuss eligibility problems or questions of procedure. (W&IC 1560)

(Section Continued on Next Page)

C-368 (Continued)

C-368

If the applicant cannot supply the information and employment records indicate the receipt of, or eligibility for, Unemployment Insurance Benefits or Disability Insurance Benefits, he shall request the insured person to obtain the required information at the local California State Employment Service. (W&IC 1560)

C-370 DETERMINATION OF INCOME FROM OLD AGE AND SURVIVORS INSURANCE**C-370**

The county shall determine the amount of OASI being received by the child or any member of the family budget unit or whether any such person is potentially eligible for OASI.

If the county finds it necessary to request information from the Bureau of OASI, a signed authorization for release of information is not required but the necessity for securing the information shall be explained to him.

If the county believes that a claim for OASI has been filed but the applicant cannot present the award certificate, disallowance letter, or other satisfactory evidence of the status of the claim, the county shall complete Form DPA 1, Request for Federal Old Age and Survivors Insurance Information, in quadruplicate and send the original and two copies to the local field office of the Bureau of OASI. One copy shall be retained in the case record.

If a claim has been acted upon, the appropriate part of the form will be filled in, and one copy returned to the county. If a claim has been filed but not acted upon, a notation to that effect will be entered on a carbon copy of the form and it will be returned. The field office will notify the county later of the final action on the claim.

If the county believes that a member of the family budget unit may be eligible for OASI, that person shall be referred to the local OASI field office. The county shall give him an original and two copies of Form DPA 1 to give or send to the field office. If he files a claim, the field office will make a notation to this effect on a copy of the form, return it to the county, and will notify the county when final action is taken on the claim. If no claim is filed because the person is obviously not entitled to OASI benefits, all copies of the form will be returned to the county with an explanation why he is ineligible. If a person is apparently eligible for OASI benefits but does not wish to file a claim, all copies of the form will be returned to the county with a statement regarding his apparent eligibility and unwillingness to file a claim.

(Section Continued on Next Page)

C-370 (Continued)

FORM DPA 2

C-370

FORM DPA-2—April, 1940
 STATE OF CALIFORNIA
 DEPARTMENT OF SOCIAL WELFARE

INQUIRY FORM

For Determining Presumptive Eligibility of a Wage-Earner for O.A.S.I. Benefits

1. Name..... Social Security Account Number

Address of Applicant.....

2. Date of birth—Month..... Day..... Year.....

Place..... Country
 City or town..... County..... State.....

3. *Record of employment since December 31, 1936

NAME OF EMPLOYER	ADDRESS OF EMPLOYER	FROM		TO	
		MONTH	YEAR	MONTH	YEAR

4. If married, state your wife's maiden name, age, and date of birth, or your husband's name, age and date of birth:

Name..... Age..... Date of birth.....

5. Have you any children, including stepchildren and legally adopted children, under 18 years of age unmarried?..... Yes or No

If so, how many?.....

6. Have you previously filed an application for any benefits under Title II of the Social Security Act?..... Yes or No

If so, state the name under which the application was filed, the approximate date filed, and the place where filed:

..... Date Application Filed City State

*A wage-earner attaining age 65 before July 1, 1940, may qualify for monthly benefits upon acquiring six quarters of coverage. However, if he attained age 65 prior to January 1, 1937, remuneration paid to him prior to January 1, 1939, is not counted toward benefits, and no quarter of coverage can be acquired during this period. Therefore, only the employers for whom he worked on and after January 1, 1939, should be included.

If the wage-earner attained age 65, in 1937 or 1938, remuneration paid to him subsequent to attainment of age 65 and prior to January 1, 1939, is not wages and is not counted toward benefits. Therefore, names of employers for the period between the wage-earner's sixty-fifth birthday and January 1, 1939, should not be included.

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 STATE PRINTING OFFICE

(Section Continued on Next Page)

C-370 (Continued)

FORM DPA-1

C-370

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

Request for Federal Old-Age and Survivors Insurance Information

Name of Wage Earner

Date and Place of Birth

Account Number

Name of Claimant, if other than Wage Earner

Relationship

Address

DIRECTOR, BUREAU OF OLD-AGE AND SURVIVORS INSURANCE:

Date

Attention: MANAGER

The above-named person is unable to produce a copy of an award or disallowance letter from the Social Security Board with reference to a claim for benefits under Title II of the Social Security Act, as amended.

It is requested that information available from your records, regarding the entitlement of the above-named person to old-age and survivors insurance benefits, be furnished this office. The information requested herein is required for use in determining this person's needs. The information will be used only for the purpose stated and will not be disclosed to any other organization or individual, except in accordance with expressed regulations or instructions of the Social Security Board or as provided in the Board-approved State public assistance plan.

Signature

Title

Name of Organization

City

State

SOCIAL SECURITY BOARD REPORT

(Name and Address of Agency)

DATE

The records of this Bureau disclose the following:

Date of Award.....
 Type of Monthly Benefit.....
 Month of Entitlement.....
 Explanation of Any Necessary Deductions.....
 Date of Birth, if age 65 or over.....
 Disallowed.....

Date

Wage Earner's Account No.....
 Name of Beneficiary.....
 Amount of Monthly Benefit.....
 Initial Payment.....
 Amount of Lump-Sum Death Payment.....
 Reason.....

DIRECTOR, BUREAU OF OLD-AGE AND SURVIVORS INSURANCE

By.....

Title

FORM DPA-1 (revised) — July, 1949

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(Section Continued on Next Page)

C-372 DETERMINATION OF INCOME FROM RAILROAD RETIREMENT ANNUITIES
OR BENEFITS

C-372

The county shall determine the amount of Railroad Retirement Annuity or Benefit being received by the child or any member of the family budget unit, either as former railroad workman or as his beneficiary, or whether any such person is potentially eligible for Railroad Retirement Annuities or Benefits.

If the former railroad workman or his beneficiary is receiving or is potentially eligible to receive such annuity or benefits, he may have letters or other evidence in his possession from which the amount may be determined. If he is unable to furnish the information, the county shall direct an inquiry to the Railroad Retirement Board, accompanied by Form CA 228, Authorization for Financial Information, signed by the former railroad employee, his guardian or his beneficiary.

If a claim has been filed, the claimant will have been assigned a Railroad Retirement Board number. That number, and the former employee's social security number, should appear on all inquiries, if these numbers are known. Other **essential** information to be included in the inquiry is the name of the former railroad workman, alias or nick-name which he may have used, name of railroad for which he worked, approximate years of employment, and his particular railroad job title (i.e., brakeman, telegrapher). If the claim has been filed for more than a year, or if the former railroad employee has been deceased for more than a year, the inquiry should be addressed to the main office, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois. Other inquiries may be addressed to:

District Office, Railroad Retirement Board
1006 4th Street, Sacramento
180 New Montgomery Street, San Francisco
1206 Santee Street, Los Angeles

(W&IC 1560)

C-374 DETERMINATION OF INCOME FROM FAMILY ALLOWANCES FOR
DEPENDENTS OF SERVICEMEN

C-374

The county shall determine the amount of family allowance for dependents of servicemen being received by the child or any member of the family budget unit, or whether any such member is potentially eligible for such a family allowance.

The applicant usually has available an award letter giving the complete information regarding the amount of the servicemen's allowance. If additional information is required, it shall be secured from the Office of Dependency Benefits. The county veterans service officer will be able to furnish the name and address of the correct ODB office of the armed service to which an inquiry should be directed by the claimant.

(Section Continued on Next Page)

C-370 (Continued)

FORM DPA-3

C-370

FORM DPA-3—April, 1940
STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFAREINQUIRY FORM
For Determining Presumptive Eligibility of Other than a Wage-Earner
For O. A. S. I. Benefits

Name of Deceased Wage-Earner

Social Security Account Number

1. Name of Applicant

Address of applicant

2. Relationship to deceased wage-earner

If widow, state when and where you and the wage-earner were married:

Month Day Year Place

3. Deceased wage-earner was born: Month Day Year

Place
City or Town County State Country

4. Date of his death: Month Day Year

Place
City or Town County State Country

5. Date of birth of applicant: Month Day Year

Place
City or Town County State Country

6. *Record of employment of deceased wage-earner since December 31, 1936:

NAME OF EMPLOYER	ADDRESS OF EMPLOYER	FROM		TO	
		MONTH	YEAR	MONTH	YEAR

7. State below the name of each living child of the deceased wage-earner, including stepchildren and legally adopted children, under 18 years of age and unmarried.

FULL NAME OF CHILD	DATE OF BIRTH MONTH DAY YEAR	NAME, ADDRESS, AND RELATIONSHIP OF PERSON WITH WHOM THE CHILD WAS RESIDING AT TIME OF WAGE-EARNER'S DEATH

*If the deceased was 65 years of age before January 1, 1937, name only the employers for whom he worked on and after January 1, 1939, as remuneration paid to the wage earner subsequent to December 31, 1936, and prior to January 1, 1939, is not considered wages, and no quarter of coverage can be acquired during this period. If the deceased wage-earner's sixty-fifth birthday occurred in 1937 or 1938, do not include the names of his employers for the period between his sixty-fifth birthday and January 1, 1939, as remuneration paid to him during this period is not considered wages, and no quarter of coverage can be acquired.

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C-375 (Continued)

C-375

The letter of inquiry shall be addressed as follows:

1. Concerning insurance, death benefits, disability retirement, or dependents* benefits

Chief, Dependents and Beneficiaries Claims Service
Veterans Administration District Office No. 12
1509 Clay Street
Oakland 12

2. Concerning compensation or pension

Chief, Adjudication Division
Veterans Administration Regional Office
49 4th Street
San Francisco

or

Chief, Adjudication Division
Veterans Administration Regional Office
1380 Sepulveda Boulevard
Los Angeles

If the veteran is deceased and the beneficiary is unable to present an award letter or other information concerning the claim for benefits, the beneficiary may sign the Form VA 3288. The inquiry letter shall be addressed the same as for a living veteran.

If the veteran is deceased and the potential beneficiary has no information concerning the claim, a letter requesting the information shall be written by the county to the Veterans Administration, giving as much identifying information concerning the veteran as is available, and a statement concerning the relationship of the veteran to the member of the ANC family budget unit. The letter shall be addressed to the Chief Attorney at the San Francisco or Los Angeles address above.
(W&IC 1560)

C-376 DETERMINATION OF INCOME FROM INMATES OF PENAL INSTITUTIONS

C-376

Allotments from inmates of penal institutions to the child or any member of the family budget unit, under Secs. 2763, 2780 or 2784 of the Penal Code shall be determined.

(Section Continued on Next Page)

C-374 (Continued)

C-374

Since the Office of Dependency Benefits has consistently maintained that its relationship is solely with servicemen and their dependents, the county should not write the ODB about particular case situations except as a last resort. If necessary, the county may assist in the preparation of the inquiry but should not be identified with it. The inquiry should include the serial number of the serviceman, his present address, and other identifying information. Omission of identifying information may result in delay or, in many cases, make a reply impossible. (W&IC 1560)

C-375 DETERMINATION OF INCOME TO VETERANS AND DEPENDENTS OF DISABLED OR DECEASED VETERANS

C-375

Income or potential income of a child or any member of the family budget unit from death benefit, insurance, compensation, pension, retirement, or dependent's benefits shall be determined.

The following persons may be entitled to receive veterans benefits:

1. A man, if he is a veteran, the dependent spouse of a veteran, or the dependent father of a veteran.
2. A woman, if she is a veteran, the wife of a veteran, the unremarried widow of a veteran, or the dependent mother of a veteran.
3. A minor child, if a parent died while a member of the armed forces or a parent was or is a veteran.
4. The guardian of the veteran or of his estate.
5. Any person, if named as beneficiary of a veteran or if next of kin in survivorship of a veteran.

The Veterans Administration issues an award letter containing the amount, beginning date, and sometimes termination date, of any payments to a veteran or to the veteran's dependents or beneficiaries. If the person who has received or is receiving any such benefits is unable to present the award letter or to give complete and accurate information, the county shall direct an inquiry to the Veterans Administration, accompanied by one copy of an authorization signed by the veteran, if living, requesting release of the information. Such authorization may be in the form of a letter, but if possible should be on Veterans Administration Form VA 3288, "Release of Information from Claimant's Record - Request for and Consent To." The form is available at any Veterans Administration Office. The authorization and request should always contain the veteran's claim number (C- or XC-) or his service serial number (S-). If the inquiry concerns insurance, the insurance number (V-, N-, or K-) should also be included. If the county is unable to obtain a signed authorization from the veteran or his guardian, the narrative shall clearly state the reason.

(Section Continued on Next Page)

C-380 (Continued)

C-380

If a complete dwelling unit is rented, the county shall determine the cost of upkeep and repairs by either of the following methods:

1. Deduct from the gross monthly rental the amount actually expended each month for upkeep and repairs for each dwelling unit, or
2. Deduct 15% of the gross monthly rental plus \$4.17 a month for each dwelling unit. If this method is used, no additional allowance is made to cover the actual expenditures for upkeep and repair.

For determination of income from rental of rooms see Sec. C-364, Determination of Income from Persons Living in the Household, Item D.

If the applicant is unable to give a complete and accurate statement, or if conflicting information arises regarding the amount of gross rental received, additional evidence shall be secured by the applicant or from other sources. The expenses incident to the rental shall be determined by a review of tax bills, encumbrance payment books, or other documents which will determine the amount of fixed expenses.

Net income from use of real property may be available in the form of home produced foods, crops or livestock. (See Secs. C-362, Determination of Income in the Form of Goods and Services, and C-384, Determination of Income from Crops or Livestock.)

That portion of payments from the sale of real property, sold under contract of sale, title not passing, which represents principal payments is considered conversion of property from real to personal property. Interest included in such payments represents income. Interest payments on prior encumbrances shall be considered in determining the amount of such income. (W&IC 1560)

C-382 DETERMINATION OF INCOME FROM PERSONAL PROPERTY

C-382

The county shall determine the amount of income in the form of interest on money, bank or building or loan accounts, bonds, and dividends upon stock, or other returns from personal property being received by the child or any member of the family budget unit.

If the applicant does not have or cannot secure the necessary information, the worker shall make the necessary inquiries at official sources. The parent's signature on the Form CA 228, Authorization for Financial Investigation, or

(Section Continued on Next Page)

C-376 (Continued)

C-376

An inmate of a penal institution is required to provide an allotment from his earnings only to his children, in ANC. The applicant shall be informed of the right of the children, to obtain allotments from their father while he is an inmate of a penal institution.

Information regarding allotments being paid or allowable may be obtained by writing to the penal institution; or, if the inmate is in a prison road camp in California, to the Department of Public Works, Division of Highways, Prison Road Camps, P. O. Box 1499, Sacramento 7.

The county shall notify the Department of Public Works, Division of Highways, Prison Road Camps, or the penal institution when assistance is discontinued for a person receiving an allotment. (W&IC 1560)

C-378 DETERMINATION OF INCOME FROM PRIVATE AGENCIES OR OTHER SOURCES

C-378

The amount of income received by the child or any member of the family budget unit from a private social agency or similar source, such as a fraternal or benevolent association or service club, shall be determined.

If the applicant is unable to give complete information, the county may communicate directly with the agency providing income. This may be helpful in determining the amount, nature, and duration of the income, and in working out joint plans for the welfare of the family. (W&IC 1524, 1560)

C-380 DETERMINATION OF INCOME FROM REAL PROPERTY

C-380

The county shall determine the amount of net income from real property received by the child or any member of the family budget unit.

Net income from rental of real property shall be computed by deducting from the gross rental received, the expenses incident to the rental of the property. These expenses include taxes, assessments, interest on encumbrance payments, insurance, utilities, upkeep, major repairs, etc., but do not include principal payments on encumbrances. Whether rental income is received annually, semi-annually, quarterly, or monthly, the expenses incident thereto shall be prorated on the same periodic basis as the periodic basis on which the income is received. Rental income received weekly shall be prorated to a monthly amount on the basis of 4 1/3 weeks per month. Net income shall be considered, for purposes of determining the amount of the assistance payment, as income in the month received only.

(Section Continued on Next Page)

C-384 (Continued)

C-384

Sale of the increase in livestock means sale of that portion of a herd or flock or hutch which represents a capital gain.

The family shall be requested to keep an account of the income and expenditures. It is their responsibility to make the records available to the county for determination of the net income. (W&IC 1560)

C-386 DETERMINATION OF INCOME FROM GENERAL RELIEF

C-386

If General Relief is granted pending the determination of eligibility, the amounts granted shall be taken into consideration in determining the retroactive initial payments for the months in which General Relief was received.

Emergency General Relief granted an ANC family who has lost or misspent the ANC payment, and given for the purpose of enabling the family to meet basic needs for the remainder of the month, may be considered unpredictable income and not subject to collection or adjustment. If it is not so determined, it shall be treated as any other income. (W&IC 1560)

C-390 OFFER OF A HOME AS A RESOURCE

C-390

If a child receives an offer of a home from a relative, other person, or agency, the county shall assist in evaluating such offer and in determining whether the child would benefit thereby.

The county shall make its services available to the family for such purposes as investigating the suitability of the home and interpreting the legal, social, and emotional implications of the offer. Usually the county can request qualified agencies to investigate the suitability of distantly located homes. (See Sec. C-453, Transportation of Needy Children Outside the State - Definition)

If a child has adequate emotional and physical security in his present home, moving him might have a serious effect on him. If it is decided that it would be best for the child's growth and adjustment that he be moved, the suitability of the home offered should be evaluated to determine whether it can provide the necessary physical and emotional security, or educational, financial, and social benefits.

When the family has reached a decision and a suitable plan has been made, the county may be able to provide other related services, such as preparation of the child for the move, preparation of the new family for the child, or, if the home is rejected, interpretation of the decision to the person who made the offer. (W&IC 1524, 1560)

C-382 (Continued)

C-382

similar form gives the authority to request information necessary to make the determination for parents and children. The written consent of other members of the family budget unit is necessary before inquiry regarding their income is made. It is unnecessary to make a routine check of banks, post offices, etc., unless there is some indication of the presence of income.

If disability benefits or annuities are being received from insurance policies, the amount shall be determined. If the insured does not have letters or documents showing the amount the county shall, with his written consent, make inquiry direct to the insurance company.

Net income from use (rental) of equipment such as trucks, tractors, etc., shall be determined by deducting from the rental received the expenses necessary to maintenance. (W&IC 1560)

C-384 DETERMINATION OF INCOME FROM CROPS OR LIVESTOCK

C-384

Net income to the child or any member of the family budget unit from the sale of crops or other farm products shall be determined by deducting from the gross income the expenses which are incident to its receipt.

The following expenses are among those considered when applicable: taxes, assessments, interest, water, necessary repair and minor replacement of buildings or equipment, seed, fertilizer, insecticides, pruning, cultivation and harvesting costs, rental of equipment, wages, etc. Principal payments on encumbrances shall not be considered as expense.

Expenses such as taxes, assessments, etc., are determinable on an annual basis. If such annual expenses cannot be determined for the period in which the income was received, the expenses for the immediately prior period may be used. If the crop is such that the income is received semi-annually or at more frequent intervals the proportionate share of the annual expenses may be considered together with other expenses which are attributable to the production of the crop.

Upkeep expense is computed on the basis of actual expenditure and is not necessarily applicable to any one crop. It may be deducted from the income from the crop or crops which mature next following the upkeep expenditure.

If the nature of the crop or product is such that it is desirable to determine the net income quarterly or semi-annually, any loss which is sustained for one period may be carried over as an expense to be added to the expense applicable to the next period.

Proceeds from the sale of the increase of livestock represent income to be considered in the month received. Expenses incident to raising the livestock such as feed, pasture rent, and prorated personal property tax shall be considered whenever applicable in determining the net income. The proportionate share of the expenses for maintaining the herd or flock shall be applied to that portion sold in order to determine net income.

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C-400 (Continued)

C-400

4. Attending an institution of learning. (If the person remains in another county during long vacation periods, his intent as to residence shall be determined.)
5. Confinement in a prison or commitment to a public hospital, including parole. The mother of a child receiving ANC is deemed to be living separate and apart during the time the father is confined in a state or federal hospital or prison and she may change the child's residence if the child is in her care or custody. If the father is paroled, the mother's residence follows that of the father unless, upon his parole, she lives separate and apart from him.
6. Living in a private institution. However, such a person may by act and intent, make the county in which the institution is located his county of residence.
7. Living on land owned or leased by, and subject to, the exclusive jurisdiction of the U. S. (If the person remains on such land for an extended period of time, his intent to return to the county of residence shall be determined.) Persons living on such land not subject to the exclusive jurisdiction of the U. S. may acquire county residence by act and intent.

The person whose residence governs the residence of a child has freedom of movement and choice of county residence. He should be instructed to notify the county of changes in residence in order to avoid interruption in assistance payments. If he goes to another county without intent to establish residence there, he shall be required to inform the county of residence at monthly intervals of his intent as to residence and of the child's living arrangement if the child is also absent from the county. (See Sec. C-212, Redetermination of Eligibility During Temporary Absence from the County)

If the child's residence is governed by his physical presence, the person caring for the child shall be required to keep the county informed of the child's whereabouts and living arrangements. (W&IC 1511, 1512, 1526, 1527)

C-403 DEFINITION OF COUNTY RESIDENCE

C-403

For purposes of ANC, county residence shall be governed by the first of the following conditions, whichever is applicable. The case record shall show why each condition preceding the one upon which county residence is based is not applicable. (See Sec. C-273, Definition of State Residence)

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C-400 REQUIREMENTS FOR COUNTY PARTICIPATION IN ASSISTANCE PAYMENTS

C-400

County financial participation is required if the child has had residence in the county for one year, or if the child is a foundling and was found in the county.

A period of county residence prior to application is not an eligibility requirement for ANC. The state reimburses the full amount paid by the county within the statutory limitations until the required one year of county residence has been completed; such cases are referred to as "non-county" cases, and the payments made are referred to as "non-county assistance". When the county participates in the payments, the cases are referred to as "regular" cases and the payments as "regular assistance".

If a child is receiving ANC on a regular basis and his county residence is changed to another county, the county granting assistance shall continue payments on a regular county basis, if the child is otherwise eligible, until the expiration of one year from the date residence was established outside that county.

If a child is living in a county other than the one in which his residence is established, the county of residence participates in the assistance payment if the child has acquired one year of residence in that county regardless of his presence in another county. This does not apply if the child's residence is established by his physical presence.

Example: A child whose residence is governed by that of his father is living with his grandmother. The father's residence is in County A where he has lived for 10 years. The grandmother lives in County B. County A participates in the assistance payment as long as the father's residence does not change even though the child continues to live in County B.

If the person whose residence determines the child's residence is absent from the county of residence for specific purposes or for temporary periods only, with the intent to return to the county, the period of residence is not interrupted and such periods are included when computing the length of county residence. Temporary absence includes absence for such purposes as:

1. Visiting or seeking employment.
2. Employment which entails travel, such as that of salesman, merchant seamen, migratory workers, and entertainers.
3. State or U. S. business or employment, including military service.

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C-403 (Continued)

C-403

- a. She has abandoned the child.
- b. Her whereabouts is unknown and the county is unable to locate her.
- c. She is residing outside California.
- d. She has been legally deprived of the child's custody.

If the mother is living separate and apart from the father, his residence shall not be deemed to be her residence and she may establish separate residence. Living separate and apart means physical separation and may be voluntary or involuntary, such as long hospitalization or incarceration.

3. Legal Guardian or Juvenile Court Wardship - W&IC 1526(c)

If the residence of the child is not governed by the residence of either parent, the child's residence is the same as that of the legal guardian unless the guardian's whereabouts is unknown or he is residing outside California.

If the child has no legal guardian and is a ward of the juvenile court (placed in the custody of the probation officer or committed to the care of the California Youth Authority), the county in which the court is located shall be considered to be the residence of the child.

4. Foundling - W&IC 1526(d)

A foundling (a child deserted by both parents without means of identification) has county residence in the county in which he was found. He retains residence in the county in which he was found unless a legal guardian is appointed or he is made a ward of the juvenile court, in which event residence is governed by Item 3.

5. Public Agency Placement - W&IC 1526(e)

If the residence of the child is not governed by conditions under Items 1 through 4 and the child has been placed in an institution or a boarding home by a public agency, the county in which he **had residence** at the time of the placement shall be considered his residence,

(Section Continued on Next Page)

C-403 (Continued)

C-403

1. Father - W&IC 1526(a)

If the father is living, the child's county residence is the same as that of the father unless:

- a. He has abandoned the child.
- b. His whereabouts is unknown and the county is unable to locate him.
- c. He is residing outside California.
- d. He has been legally deprived of the child's custody; i.e., by appointment of a legal guardian of the child, by court order declaring the child free from custody and control under W&IC 775 et. seq., or by court order in a divorce action. A parent of a child made a ward of the juvenile court under W&IC 720 et. seq., is not deprived of his child's custody because of the child's commitment.

If the mother who has legal custody by court order in a divorce action dies, the child's residence reverts to the father's residence. In such cases, if the mother's residence was **in a** different county from that of the father, the required one year of residence in the father's county begins on the date of the mother's death.

- e. He is living separate and apart from the mother who has the child and who has not been deprived of legal custody of the child. If the parents are living separate and apart and the child is living with **neither** parent, the child's residence is the same as that of the father unless Items a, b, c, and d above are applicable. Living separate and apart means physical separation and may be voluntary or involuntary, such as long hospitalization or incarceration.

2. Mother - W&IC 1526(b)

If residence of the child is not governed by the father's residence and the mother is living, the residence of the child is the same as that of the mother unless:

(Section Continued on Next Page)

C-406 (Continued)

C-406

The county shall substantiate the determination of non-county residence by the following:

1. If county residence of the child at the time of application is governed by the residence of a parent (Item 1 or 2 of Sec. C-403) or of a legal guardian (Item 3 of Sec. C-403), the narrative shall include the parent's or guardian's statement of his residence and intent of residence at the time of application and during the year immediately preceding the date on which residence was established in the county of application. Each county in which the parent or guardian resided shall be included with the dates his physical presence began and terminated and a statement as to whether or not he intended to make his home in that county. If the parent or guardian does not have complete or accurate information, or if there appears to be conflicting information, additional evidence in the form of rent or utility receipts, employment records, etc., or interviews with other persons having knowledge of the situation shall be obtained and recorded in the narrative.
2. If county residence of the child at the time of application is governed by court wardship (Item 3 of Sec. C-403), the narrative or case record shall include an oral or written statement by the probation officer or a representative of the juvenile court giving the date the child was adjudged a ward of the juvenile court and the section of the law under which such action was taken.
3. If county residence of the child at the time of application is governed by his residence at the time of placement by a public agency in an institution or boarding home (Item 5 of Sec. C-403), the county's statement on the Statement of Non-County Residence, Form CA 234, Items 2 and 3, is sufficient.
4. If county residence of the child at the time of application is governed by his physical presence (Item 6 of Sec. C-403), the narrative shall include a statement of the person responsible for the care of the child or of any other person having knowledge of the child's physical presence, or a summary of records such as those of schools, churches, institutions, hospitals, welfare departments, etc., giving the date of last arrival in the county.

(Section Continued on Next Page)

C-403 (Continued)

C-403

until such time as the residence of a parent or guardian or by court wardship is applicable. For the purposes of county residence, a boarding home is a private family home which accepts one or more children to board with or without compensation, except that this does not apply to the boarding of nieces, nephews, grandchildren, brothers, or sisters.

Example: The family established residence in County A. A divorce decree awarded custody of the child to the father. The father disappeared, leaving the child with neighbors. County A placed the child in a boarding home in County B, located the father, and secured support. The whereabouts of the father became unknown and the boarding home mother applied for ANC. For purposes of ANC, the residence of the child remains in County A until residence is governed by conditions under Items 1, 2, or 3.

6. Physical Presence - W&IC 1526(f)

If residence is not governed by conditions under Items 1 through 5, the county in which the child is living shall be deemed the county of residence. This applies to a child who does not have a parent or guardian in the state, or whose parents or guardian cannot be located in the state, or whose parents in the state have been deprived of custody, unless the child is a foundling; and to a child living in a boarding home or institution, except a child so placed by a public agency (see Item 5).

Example: A half orphan has been living for three years with various relatives in County A since his mother's death. Neither parent established residence in County A. The father's whereabouts has been unknown for two years, and after a complete investigation the county is unable to locate him. The child has no legal guardian and is not a ward of the juvenile court, and Item 5 does not apply. Therefore, residence is governed by Item 6, that is, physical presence of the child in County A. (W&IC 1526, 1560)

C-406 DETERMINATION OF COUNTY RESIDENCE

C-406

Determination of the county or counties wherein the child had residence during the year immediately preceding the date residence was established in the county of application is required for all non-county cases. This determination is not a requirement in regular cases. (See Sec. C-400 for definition of "regular" case)

In all non-county cases, except in cases transferred from another county, the county of application shall complete a Statement of Non-County Residence, Form CA 234, to show the county's determination, including the basis of the determination, of the child's county residence during the one year immediately preceding the date residence was established in the county of application. (See Sec. C-415, Instructions for Completing Statement of Non-County Residence)

(Section Continued on Next Page)

C-409 (Continued)

C-409

The application shall not be transferred if the residence of the child changed after the first of the month in which the 90 days following the date of application expired. The investigation of the application shall be completed and assistance granted if the child is eligible. Assistance shall be granted on a regular basis or on a non-county basis in accordance with residence status as of the first of the month in which assistance was to be effective. Thereafter, transfer shall be made in accordance with usual procedures.

If assistance is granted on an application before county residence or non-county residence is determined and it is later determined that the child's residence was in another county, the county granting assistance shall continue payments until the earliest date agreeable with the county of residence for transfer, on which date the county of residence shall grant assistance. (See Sec. C-554, Payment of Assistance in Inter-County Transfers) (W&IC 1560)

C-412 PROCEDURE FOR INTER-COUNTY TRANSFERS**C-412**

If the person whose residence governs the child's residence moves to another county with the intent to make the second county his residence, or if a child whose residence is governed by physical presence moves to another county, the required one year of residence shall be presumed to start upon the date of removal from the first county unless the presumption is refuted by positive evidence by the second county and the date residence was established in the second county is determined.

If the basis for residence determination changes from one condition to another (e.g., from physical presence to legal guardian, from parent to court wardship, from agency placement to parent, etc.) and residence is thus changed to another county, the date on which the change in the basis occurred shall be considered the date on which the one year of required residence began in the new county of residence.

If a dispute arises between two counties regarding the beginning date of residence in a transfer case, either county may submit the dispute to the SDSW by use of Form DPA 6, Appeal as to Responsibility for Support (see Appeal Procedure).

If the residence of a child receiving assistance is changed to another county, the inter-county transfer arrangements shall be initiated as soon as possible to insure continued receipt of assistance.

(Section Continued on Next Page)

C-406 (Continued)

C-406

The original Form CA 234, Statement of Non-County Residence, shall be submitted to the SDSW with the Form CA 200, Application, and Form CA 201, Certificate of Eligibility, for each non-county case. An exact copy shall be retained in the case record. If assistance for one child, or for an entire family is restored on a non-county basis following a discontinuance of regular assistance, a completed Form CA 234, Statement of Non-County Residence, shall be submitted to the SDSW with Form CA 232, Notice of Change.

If the parents are divorced and both of them are living, the award of custody in the divorce decree shall be verified in order to determine the residence of the child. Divorce may be verified by a review of documents in the applicant's possession or by review of the official records of the court in which it was granted, summarized in the narrative, or by a letter from the court giving the required information filed in the case record. (W&IC 1560)

C-409 COUNTY RESPONSIBILITY IN TRANSFERRED APPLICATIONS

C-409

If an application is forwarded by the county in which the child is living to the county of residence, the county in which the child is living shall obtain all available information regarding eligibility and submit it promptly to the county of residence. The county of residence shall then complete the investigation. (See Secs. C-125, County of Application, and C-400, Requirements for County Participation in Assistance Payments)

If an application is denied by a county because the residence of the child changed before the first of the month in which the 90 days following the date of application expired, the county denying the application shall place the information gained in its investigation at the disposal of the second county if a new application is made. The denied application is not forwarded to the second county. (See Sec. C-125, County of Application)

If the residence of the child changed before the first of the month in which the 90 days following the date of application expired, and without knowledge of that change the county grants assistance, payments shall continue on a non-county basis until the earliest date agreeable with the county of residence for transfer, on which date the county of residence shall grant non-county assistance. (See Sec. C-554, Payment of Assistance in Inter-County Transfers)

(Section Continued on Next Page)

C-412 (Continued)

C-412

- h. A copy of Form CA 241, Budget Work Sheet (or substitute form approved by the SDSW) on which the current assistance payment is based.
- i. A request for any specific information necessary to determine continuing eligibility or the amount of assistance.
2. When a transfer is initiated by forwarding four copies of Form CA 215 to the new county of residence, the county granting assistance shall also send Form CA 217, Notification of Change of County Residence, to the person whose residence determines the child's residence, unless the child's county residence is determined by his own physical presence, in which case the notification shall be sent to the person responsible for the child's care.
3. Upon receipt of Form CA 215, the new county of residence shall make a home call to determine the presence of the child or the person whose residence governs the child's residence in the county. The parent's or guardian's statement of the date of arrival in the county and his intent as to residence shall be secured. If the child's residence is governed by his physical presence, the statement of the person responsible for his care or other person having knowledge of the date of arrival shall be secured. Additional evidence of residence may be secured, with the parent's or guardian's knowledge, if the information obtained appears to be incomplete or inaccurate or there is conflicting information.

If it appears that a lapse of time occurred between the date of removal from the county granting assistance and the establishment of residence in the new county, the new county of residence shall obtain sufficient explanation or evidence to support or refute the presumption that the date for the acquisition of one year's residence started upon the date of removal from the county granting assistance.

The requirement of a home visit may be waived as set forth in Sec. C-208, Home Visits During Determination and Redetermination of Eligibility. In such cases an interview shall be held elsewhere and may be implemented by evidence secured through other sources. All pertinent factors of eligibility which may have changed shall be reviewed as in the annual redetermination of eligibility.

(Section Continued on Next Page)

C-412 (Continued)

C-412

1. The county granting assistance shall complete Section A of Form CA 215, **Notification of Transfer**, in quintuplicate. One copy shall be retained and four copies shall be sent to the new county of residence as soon as possible after it is known that residence is changed to another county. Upon initiating transfer procedure, the county granting assistance shall also furnish the new county of residence the following relevant information, either in the form of a case summary or through copies of forms or both:
 - a. Specific information regarding the new residence, including the date and reason for moving, if known.
 - b. The date the last application was signed, the name and relationship of the applicant, the effective date on which assistance was granted, and a statement as to whether assistance payments are being made on a regular or non-county basis. If non-county, the date residence was established in the county granting assistance shall be shown.
 - c. A list of the names, and relationship to the child of all members of the household, and birthdates of minors. The names, addresses, and ages of parents and brothers and sisters not living in the home should be included.
 - d. Significant information regarding the family background including marital history, employment history, education and abilities, standard of living, household management, and cultural or recreational interest or activities of the family.
 - e. Information regarding past health, current health, and plan of treatment, if any, of both children and parents.
 - f. Information regarding the family's social adjustment, both as a group and individually.
 - g. A statement of the determination of eligibility for each factor, including the basis of the determination. This statement shall include determination of state residence, deprivation of parental support or care, real and personal property, income, and, for children 16 to 18 years of age, school attendance. Any supplementary information which might have a bearing on current eligibility shall be included.

(Section Continued on Next Page)

C-412 (Continued)

C-412

If continuing eligibility exists, assistance shall begin in the county of residence on the first of the month following completion of one year's residence in that county regardless of the date the application is signed.

If the child's residence is changed to a third county prior to completion of one year's residence in the second county, the first county continues to be responsible for the payment of assistance on a regular basis until the end of the month following completion of one year from the date residence was established outside the first county and thereafter on a non-county basis until transfer to another county is completed. The first county shall notify the third county of the change in county residence and request the second county to forward to the third county the summary letter furnished the second county by the first county at the time transfer arrangements were made with the second county. The first county shall make transfer arrangements with the third county and, if possible, the third county shall grant assistance on a non-county basis effective the first of the month following completion of one year from the date residence was established outside the first county. If non-county assistance is to be granted by the third county, evidence shall be secured to substantiate the date residence was established in the third county and the date residence was established outside the first county as in Item 3 above.

If it is administratively impossible for the third county to secure an application and to grant assistance effective the first of the month following completion of one year from the date residence was established outside the first county, the first county shall arrange with the third county a discontinuance date which will permit continued payment of assistance. To substantiate the first county's adjustment in claims from a regular basis to a non-county basis, the first county shall submit to the SDSW the completed Form CA 215 between the first and third counties.

If the person whose residence governs residence of a child moves to a second county with intent to reside and then returns after an absence of less than one year to the first county with intent to remain, his residence in the first county shall not be deemed to have been interrupted and assistance shall be continued by the first county on a regular basis. However, if assistance has been discontinued because of ineligibility during the period of absence from the first county, assistance is paid on a non-county basis until the required period of county residence is again completed in the first county. Form CA 234 shall accompany the Notice of Change, Form CA 232, restoring assistance on a non-county basis.

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C-412 (Continued)

C-412

The county of residence shall report to the county granting assistance regarding continuing eligibility and current needs. Changes in living conditions due to the move or other changes which might affect the assistance payment shall be reported.

The county of residence shall complete Section B of Form CA 215, showing the date residence was established, retain one copy and return three copies to the county granting assistance. If the new county of residence has evidence to refute the presumption that the date for the acquisition of one year's residence started upon the date of removal from the county granting assistance, the entry in Section B shall be that date which the county of residence established as the date residence began in the second county. The report to the county granting assistance shall give full detail of the determination of the date.

4. Upon receipt of the report and Form CA 215 with Section B completed the county granting assistance shall complete and sign Section C. One copy shall be retained, one shall be sent to the county of residence, and one to the SDSW. If there is disagreement as to the date residence was established in the new county of residence and the counties can not reach an agreement, the matter shall be referred by either county to the SDSW for a decision or a county appeal shall be filed.
5. In all transfer cases Form CA 218, Notice of Effective Date of Transfer, shall be sent to the person whose residence determines the child's residence or, if the child's residence is determined by physical presence, to the person responsible for the child's care. If assistance is granted on a regular basis by the county initiating the transfer, Form CA 218 shall be sent not later than three months prior to the effective date of the transfer. In transfers of non-county cases Form CA 218 shall be sent immediately upon completion of the transfer arrangements.
6. The county of residence shall secure a new application to be retained in the county record (See Sec. C-130, When Application is to be Taken) and shall complete Form CA 201, Certificate of Eligibility, in the same manner as for any new application and forward it to the SDSW not later than 15 days after action by the board of supervisors. Form CA 234 is not required even though assistance is granted on a non-county basis. The summary letter from the county initiating the transfer may be accepted as evidence of eligibility unless there appears to be conflicting information or a change in the situation. In such cases, the new county of residence shall secure additional evidence as necessary.

(Section Continued on Next Page)

C-412 (Continued)

C-412

The first county shall notify the SDSW by letter if the transfer arrangements are canceled for reason other than discontinuance of assistance, giving the reason for cancellation. If assistance is discontinued before the transfer becomes effective, notification by letter is unnecessary as the Notice of Change reporting the discontinuance is sufficient.

If assistance in the first county is paid on a regular basis for part of a family group, pending acquisition of one year of residence in a second county, and restoration for a child in the family is requested, the first county shall effect the restoration, if the child is eligible. (See Sec. C-554, Payment of Assistance in Inter-County Transfers)

If the mother or guardian governing the residence of a child receiving assistance marries a resident of another county she assumes her husband's residence as of the date of marriage. Arrangements shall be made by the counties concerned for an inter-county transfer of assistance as soon as the marriage is known, to be effective when one year of residence in the county of husband's residence has been acquired by the woman, or if a non-county case, as soon as transfer arrangements can be completed. (See Sec. C-273, Definition of State Residence, Sec. C-400, Requirements for County Participation in Assistance Payments, and Sec. C-125, County of Application) (W&IC 1528, 1560)

(Section Continued on Next Page)

State of California

Department of Social Welfare

NOTICE OF EFFECTIVE DATE OF TRANSFER

County _____

County No. _____

State No. _____

Date _____

NAME _____

ADDRESS _____

In accordance with our records, responsibility for payment of your aid will be assumed by the County of _____ on _____, 19____.

The County of _____ will discontinue your _____
(Indicate Type of Aid)
on _____, 19____.

If you have any questions, we suggest that you get in touch with the County Welfare Department in the county where you are now living.

C-412 (Continued)

FORM CA 217

C-412

State of California

Department of Social Welfare

NOTIFICATION OF CHANGE OF COUNTY RESIDENCE

County _____

County No. _____

State No. _____

Date _____

Name _____

Address _____

We have advised _____ County that you have moved to that county with the intent to make it your future home. Within the near future a representative of the County Welfare Department where you are now living will communicate with you.

_____ payments will be made from this county for a
(Indicate type of aid)
temporary period and thereafter, if you remain eligible, they will be paid through the county in which you are now living.

It is our desire that aid shall be received continuously and without interruption so long as you remain eligible. Your cooperation is necessary, however, in order that this may be possible. The county which issues a monthly warrant to you must be kept informed of all changes in your address. Should circumstances make it necessary for you to move to a new address before payment of aid is assumed by the county in which you are now living, please notify this department as well as the County Welfare Department where you are now living before you move. Any oversight on your part in notifying proper authorities may result in a delay or interruption in your aid.

In accordance with your sworn statement on your signed application, we urge you to discuss promptly with your local County Welfare Department, any changes in your circumstances or financial condition. This will include reporting of purchase or sale of real or personal property, and any changes in your income from property, responsible relatives, earnings, or any other source. It also includes reporting of changes in your need.

Form CA 217, January 1949

(Section Continued on Next Page)

State of California

Department of Social Welfare

STATEMENT OF NON-COUNTY RESIDENCE

Aid to Needy Children

1. The residence of _____ in _____ County
 Full name of child(ren) _____ County of Application

is determined at the present by the provisions of Subdivision _____
 a, b, c, e, or f

of Section 1526 of the Welfare and Institutions Code.

2. The counties of child's residence and the basis for determining the child's residence during the past year immediately preceding date residence began in county of application were as follows:

BASIS FOR DETERMINING CHILD'S
RESIDENCE

COUNTY OF CHILD'S RESIDENCE	PERIOD OF CHILD'S COUNTY RESIDENCE	Subdivision Section 1526	Reason
_____	to _____	_____	_____
_____	to _____	_____	_____
_____	to _____	_____	_____
_____	to _____	_____	_____
_____	to _____	_____	_____

3. Indicate other pertinent information if it is necessary to clarify the non-county status in an individual case.

Signature of County Worker _____

Date _____

THIS FORM OR A CERTIFIED COPY THEREOF SHALL BE SUBMITTED TO THE STATE DEPARTMENT OF
SOCIAL WELFARE WITH THE APPLICATION FOR NON-COUNTY AID

C-415 INSTRUCTIONS FOR COMPLETING STATEMENT OF NON-COUNTY RESIDENCE

C-415

Form CA 234, Statement of Non-County Residence, is required for non-county cases only. It is a statement of the county's determination of the child's county residence at the time of application and during the year immediately preceding the date residence began in the county of application and includes the basis of the determination.

The items on the form shall be completed as follows:

Item 1. Full Name of Child(ren). Enter the first and last name of each child. Include all children in one family whose residence is governed by the same set of facts. Use a separate form for each child whose residence is governed by a different set of facts.

Item 1. County of Application. Enter the name of the county claiming non-county reimbursement.

Item 1. Subdivision of Section 1526 of the Welfare and Institutions Code. Enter that subdivision of W&IC 1526 which specifies the conditions which govern the child's residence. (See Sec. C-403, Definition of County Residence)

Item 2. The counties of child's residence and the basis for determining the child's residence during the past year immediately preceding date residence began in county of application. Enter in this item each change in the residence whether change of county or change in the basis for residence.

County of Child's Residence. Enter in this column each county in which the child had residence during the 12 months preceding the date on which residence was established in the county of application.

Period of Child's County Residence. Enter opposite each county listed the date residence began and terminated in that county.

Basis for Determining Child's Residence, Subdivision Section 1526. Enter opposite each county that subdivision of W&IC 1526 which specifies the conditions which govern the child's residence in that county.

Basis for Determining Child's Residence, Reason. Enter the reason the specified subdivision of W&IC 1526 governed the child's residence in that county.

Item 3. Other Pertinent Information. Enter other pertinent information which may be necessary to clarify the non-county status in some cases. Explain in this item any inconsistencies, especially in those cases in which the person whose residence governed the child's residence had no intent to reside in the counties in which he sojourned during the year preceding application. If the child's residence is governed by his own residence at the time of placement in an institution or boarding home by a public agency, indicate in this item the date of placement of the child, whether the child is placed in a boarding home or in an institution, the name of the agency making the placement, and the source of the information. (For definition of a boarding home, see Item 5 of Sec. C-403) (W&IC 1560)

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CHAPTER III—DETERMINATION OF ELIGIBILITY

FEDERAL PARTICIPATION

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C-423 (Continued)

C-423

A child shall be considered to be living in the home of a relative as long as the relative takes responsibility for the care and supervision of the child, even though circumstances may require temporary absence of either the child or the relative from the home. Temporary absence which does not affect the relationship of the child to the relative under this definition includes but is not limited to:

1. Hospitalization of the child or relative, if the illness is of such a nature that a return to the family can be expected and the relative's responsibility for the care and supervision of the child continues during the hospitalization. (ANC may not continue more than two calendar months for a child in a public hospital. See Secs. C-441 and C-444.)
2. Attendance at school, if the purpose is primarily for obtaining an education or vocational training and the relative retains responsibility for the child.
3. Visiting, vacationing, moving to other communities, and similar situations.

A child shall be considered to be living in the home of a relative if that relative has a plan to establish a home for the child. Assistance may be granted prior to the child's arrival in the home, as a resource to assist in accomplishing the plan. The child shall be considered to be living in the home only if he goes to live with that relative within thirty days of the receipt by the relative of the first payment. Federal participation is available for such initial payment. (WAC 1560, FSS-Admin.)

C-426 DETERMINATION OF LIVING IN THE HOME OF A RELATIVE FOR FEDERAL PARTICIPATION

C-426

The county shall determine whether the child is living in the home of a relative. Relationship can usually be established by an interview with the applicant or parent. If there is a question regarding the relationship, it may be necessary to secure further evidence through documents or interviews with other persons.

If a child or relative is out of the home because of hospitalization, visiting, moving, etc., the county shall determine whether the absence is temporary and its affect on the responsibility of the relative for the care and supervision of the child.

If the child is absent for the purpose of attending school, the county shall determine whether the child is attending school in some other community or in an institution whose program is designed to meet his specific educational or vocational

(Section Continued on Next Page)

C-420 REQUIREMENTS FOR FEDERAL PARTICIPATION

C-420

Federal participation in payment of assistance is available for cases in which the following requirements are met:

1. The child is living in the home of a relative.
2. The payee is one of the following:
 - a. The relative in whose home the child is living
 - b. The legal guardian of the relative with whom the child is living
 - c. The child, if that is a desirable social plan
 - d. In an emergency, a person acting temporarily for the relative with whom the child is, or was, living
3. The child 16 years of age or over, but under 18, is attending school regularly. (FSS-Admin.)

C-423 DEFINITION OF LIVING IN THE HOME OF A RELATIVE FOR FEDERAL PARTICIPATION

C-423

For purposes of federal participation in the payment of assistance, the child must be living with a person included in one of the following groups:

1. Any blood relative, including those of half-blood, except cousin, nephew, or niece. Relationship to persons of preceding generations as denoted by prefixes of grand, great, or great-great are within this definition.
2. Stepfather, stepmother, stepbrother, and stepsister.
3. Any person who legally adopted the child or adopted the child's parent; also the natural children or other adopted children of such person.
4. Spouses of any persons named in the above groups. Such relatives may be considered within the scope of this provision even though the marriage is terminated by death or divorce.

(Section Continued on Next Page)

C-432 DETERMINATION OF ELIGIBLE PAYEE FOR FEDERAL PARTICIPATION

C-432

If payment is made to a relative with whom the child is living, the county shall determine whether the payee is a relative within the relationship enumerated in Sec. C-423.

If payment is made to the guardian of the relative with whom the child is living, the facts of the guardianship, i.e., the date letters of guardianship were issued, the name of the guardian, whether he is guardian of the person or the estate or both, the name of the court appointing the guardian, and a summary of any special instructions of the court to the guardian, shall be determined.

If the child is to be the payee, the county shall record in the narrative the social plan and the reasons for such a plan.

If payment is to be made to an emergency payee, the county shall determine whether:

1. ANC with federal participation was being paid for the child at the time the emergency occurred.
2. Payments to the emergency payee will be made only for the purpose of making and carrying out active planning for the continuing care of the child.
3. Payments are made only for the period of time necessary to make or carry out plans for the child, including transfer of responsibility for the child to another relative or to determine that there is no other relative willing to assume responsibility for the child. (W&IC 1560)

C-435 DEFINITION OF REGULAR SCHOOL ATTENDANCE FOR FEDERAL PARTICIPATION

C-435

Regular school attendance is defined as:

1. Enrollment in a public or private grade school, high school, trade school, or college maintaining full-time curriculum.
2. Enrollment in a public continuation school or night school for three hours a day or a minimum of four hours a week.
3. Enrollment in a part-time private course such as beauty school or business college, provided attendance at such schools is acceptable under the compulsory attendance laws.

(Section Continued on Next Page)

C-426 (Continued)

C-426

needs because regular or special school programs are not accessible to the child's home.

If assistance is being granted to reestablish a home for the child prior to the time he goes to the home, the county shall determine that the relative has a workable plan for reestablishing the home and that he will exercise responsibility for the care and supervision of the child upon completion of the plan. The beginning date of such payment shall not antedate the date of application by the relative. The county shall determine and record in the narrative the date the child arrived in the home.

At any time there is a change of payee, a redetermination as to whether the child is living in the home of a relative shall be made. (W&IC 1560)

C-429 DEFINITION OF ELIGIBLE PAYEE FOR FEDERAL PARTICIPATION

C-429

To obtain federal participation in the assistance payment the payee must be one of the following:

1. The relative with whom the child is living provided he is within the relationship listed in Sec. C-423.
2. The guardian, if there be one, of the relative with whom the child is living.
3. The child himself, if the child appears to be capable of managing his assistance payment and the social planning makes it desirable.
4. The person acting for the relative during a temporary emergency period. If an emergency deprives the child of care by the relative with whom he has been living, payments may be made for a temporary period to a person acting for the relative. Such emergency would include one in which there was not sufficient time to determine whether there is another relative in whose home the child could live or to effect plans for the child's continuing care and support in the home of another relative. Such emergencies may arise in cases of the relative's sudden death, desertion, imprisonment, or commitment to a hospital for the mentally ill, etc. The period that payments are made to an emergency payee shall be limited to the time actually necessary to make and carry out plans for the child's continuing care and support in the home of another relative. (W&IC 1560)

C-438 (Continued)

C-438

4. A child 16 or over previously reported as not enrolled in school re-enrolls.
5. Assistance is restored for a child 16 or over if the new school year began between the date of discontinuance and the date of restoration.
6. Assistance is restored for a child 16 or over who was not enrolled in school at the time of discontinuance.
7. Assistance is restored for a child who reached his 16th birthday between the date of discontinuance and the date of restoration.

School attendance for all children 16 to 18 years of age who are living with eligible payees shall be determined once annually at the beginning of the school year. During the annual redetermination of eligibility the county may determine school attendance of children who are 15 years old and who will reach their 16th birthdays in the current school year. If the child is regularly attending school at that time and no change of school status is reported, no further determination of school status is required at the time he reaches his 16th birthday. If the 15 year old child is not enrolled in school at the time of the annual redetermination of eligibility, his school status shall be redetermined at the time he reaches his 16th birthday.

The county shall determine the school status of a child not later than the end of the month following the month in which the event requiring determination of school status occurred.

The county shall report the child's school status on the Certificate of Eligibility, Form CA 201, except if assistance is granted for a child 16 or over during the vacation period. When the latter occurs, the county shall notify the SDSW of his school status on the Notice of Change, Form CA 232, at the beginning of the new school year. (See Secs. C-551 and C-569 E) (W&IC 1560)

C-441 CHILDREN IN INSTITUTIONS - REQUIREMENTS

C-441

A. PUBLIC INSTITUTIONS AND PUBLIC HOSPITALS

A child is not eligible for ANC if he is an inmate of a public institution or a public hospital, except with respect to temporary medical or surgical care not to exceed two calendar months.

If a child is admitted to a public institution for correctional or custodial care, assistance shall be discontinued effective as of the last day of the month in which he was admitted or committed.

(Section Continued on Next Page)

C-435 (Continued)

C-435

4. Enrollment in home instruction under the public school system if the child is unable to attend school.

Intermittent or temporary absence from school does not affect federal participation provided such absences do not result in termination of enrollment. Temporary absence is defined as absence for reasons customarily accepted under the compulsory attendance laws, or occasioned by religious holidays, regular vacation period, ill health of the child, family crisis, temporary work permits, or suspension of not over two weeks.

Enrollment is considered to be terminated upon completion of course, abandonment of, or failure to resume, course, or expulsion.

The school year is considered to begin in September but after September 1, and to close after May 1 but before June 1. The vacation period is considered to begin June 1 and end September 1.

If ANC is granted for a child 16 or over during the vacation period, federal participation in the assistance payment for that child is available until his school status at the beginning of the new school year is determined.

If a child 16 or over terminates enrollment prior to the close of the school year or if the county determines that a child is not regularly attending school, federal participation in the assistance payment for that child is not available effective the last day of the month in which termination of enrollment is determined. (W&IC 1560; FSS-Admin.)

C-438 DETERMINATION OF SCHOOL ATTENDANCE FOR FEDERAL PARTICIPATION

C-438

If the child is 16 or over, the county shall determine the child's regular attendance at school. Usually the parent or caretaker will be able to provide sufficient information in an interview on which the county can base a determination. If there is reason to question school attendance, the county may discuss the matter with the school authorities.

The determination of school attendance is required under the following conditions:

1. A new application is filed for a child 16 or over.
2. A child currently receiving assistance becomes 16.
3. A child is 16 or over, and there is a change from an ineligible to an eligible payee.

(Section Continued on Next Page)

C-444 CHILDREN IN INSTITUTIONS -DEFINITION

C-444

A. PUBLIC INSTITUTIONS AND PUBLIC HOSPITALS

An "inmate" of a public institution for purposes of ANC is a child who is there on court commitment or who is living in the institution without a definite plan for his removal within the current or following month. However, a child is not an "inmate" under this definition if he is:

1. Attending school in a public educational or vocational training institution wherein living in the institution is incidental to the training program
2. In a public hospital temporarily for medical or surgical care
3. Voluntarily and temporarily in a public hospital or clinical facility for study, observation, diagnosis or corrective therapy preliminary to recommendations for future treatment, if any
4. On conditional release, such as parole or trial visit, from a public institution and is free of controls by the institution other than professional help or guidance relating to his problem

A public institution is defined, for purposes of ANC, as a place of residence which affords shelter, correction, control, instruction, or care to two or more minors and which is supported from public funds and which is managed and controlled by a unit of federal, state, or local government. This includes a place of residence which is maintained and managed as the statutory responsibility of a governmental unit, such as the county detention home or juvenile hall. A family boarding home or facility which is not managed or controlled by the county and which is subsidized by county funds for the sole purpose of keeping the home available for placements of an emergency or temporary nature or as a "study home" is not considered a public institution.

A public hospital is defined, for purposes of ANC, as a facility for study, diagnosis, domiciliary care, or curative treatment of physical, emotional, or mental conditions, which is supported from public funds and is managed and controlled by a unit of federal, state, or local government.

A child receiving assistance who enters a public hospital for medical or surgical care is considered to be receiving temporary care if on the first of the

(Section Continued on Next Page)

C-441 (Continued)

C-441

If a child enters a public hospital for medical or surgical care, assistance shall be discontinued effective as of the last day of the month in which the two full calendar months for temporary medical or surgical care ended, or, if the child entered the hospital on the first day of a month, assistance shall be discontinued effective as of the last day of the next month, if he is still in the hospital.

A child receiving assistance while in a boarding home or institution, who enters a public hospital, may be eligible for continued assistance for two calendar months to meet the child's needs not met by the hospital.

If assistance for a child is discontinued because he entered a public institution, the discontinuance may provide for automatic restoration of assistance if the child's return to the home can be reasonably anticipated. Such automatic restoration shall be effective as of the date the child is released.

Periods of temporary hospitalization may recur, but assistance shall not be paid for a child who returned to a public hospital immediately following a temporary period of hospitalization for the same condition which was responsible for his previous hospitalization, unless the release from, and return to, the hospital are in accord with the treatment plan of a physician.

Federal participation is available in assistance payments for a child in a public hospital if the illness is of such a nature that return to the family can be expected and the relative continues to be responsible for the care and supervision of the child.

Assistance may be granted for a child in a public institution or public hospital for the purpose of establishing or reestablishing a home. (See Sec. C-423, Definition of Living in the Home of a Relative for Federal Participation)

A child committed to the California Youth Authority and paroled by the authority to the care of a relative or a boarding home is eligible for assistance if otherwise eligible. Application for such a child may be made while he is still in the Youth Authority facility.

B. PRIVATE INSTITUTIONS AND PRIVATE HOSPITALS

A child who enters a private institution or private hospital is eligible to receive, or may continue to receive, assistance, if otherwise eligible. No child maintained in an institution for whom a bonafide offer of a private home has been made is eligible for further assistance, but no institution shall be required to surrender a child to any person of religious faith different from that of the child or parents of the child. (See Sec. C-390, Offer of a Home as a Resource) (W&IC 1524, 1529, 1557)

C-447 (Continued)

C-447

Upon receipt of information that a child entered a public hospital, a determination shall be made as to whether the hospitalization will be temporary, in accordance with Sec. C-426, Determination of Living in the Home of a Relative for Federal Participation. Federal participation may not be claimed for more than the month the child entered the hospital unless the county determines that the absence from home is temporary, in accordance with that section.

Upon receipt of information that a child entered a public hospital for medical or surgical care, adequate case control shall be effected so that further determination of length of hospitalization may be made and assistance discontinued if necessary.

If it is necessary for a child to return to a public hospital immediately following a temporary period of hospitalization for treatment of the same condition for which he had been previously hospitalized, the record shall show that the social plan and the medical plan of the attending physician were in accord with such release and immediate rehospitalization. The objectives of good medical care are attainable, only by the fullest coordination and cooperation of the relative, the physician, the hospital, and the county welfare department.

While a child is in a public hospital for temporary care, assistance shall be paid in whatever amount is determined to be necessary to meet the child's continuing needs. If a child in a boarding home or institution enters a public hospital, the circumstances of the hospitalization, of the child's continuing needs not met by the hospital or otherwise, of expenses for the child to the boarding home or institution during the hospitalization, and the probable return of the child to that boarding home or institution shall be determined and evaluated, and assistance shall be paid in accordance with the recorded social plan.

B. PRIVATE INSTITUTIONS AND PRIVATE HOSPITALS

If a child receiving assistance enters a private institution or private hospital, the county shall determine the name of the facility and the date and reason the child was admitted. If the statement of the relative or person caring for the child is not complete and accurate, additional information shall be obtained from other agencies, the physician, or the hospital.

Upon receipt of information that a child entered a private institution or private hospital, a determination shall be made as to whether the absence from home will be temporary, in accordance with Sec. C-426, Determination of Living in the Home of a Relative for Federal Participation.

If a child receiving assistance enters a private hospital or private institution, the record shall show whether eligibility continues. A change of payee may be necessary because of a change in responsibility for care and supervision of the child. If such responsibility continues with the same relative, the record shall show the plan whereby continued care and supervision will be accomplished. Total needs shall be recomputed and the grant adjusted accordingly. (W&IC 1560)

C-444 (Continued)

C-444

month for which payment is due he has not been in the hospital for two full calendar months, irrespective of the day of the month on which he entered.

Example 1: A child was admitted to the county hospital on July 5. The diagnosis indicated lengthy treatment. Assistance was paid for August and September because on the first of each month he had not been in the hospital for two full calendar months. Assistance was discontinued effective September 30.

Example 2: A child was admitted to University Hospital on July 1. Assistance was paid for July and August and discontinued effective August 31. Assistance was not payable on September 1 because the child already had been in the public facility for two full calendar months.

B. PRIVATE INSTITUTIONS AND PRIVATE HOSPITALS

A private institution or private hospital is defined, for purposes of ANC, as a facility for correctional, custodial, or curative diagnosis, treatment, instruction, or care of children, and which is not financed, managed, or controlled by a unit of federal, state, or local government. (W&IC 1560)

C-447 CHILDREN IN INSTITUTIONS - DETERMINATION

C-447

A. PUBLIC INSTITUTIONS AND PUBLIC HOSPITALS

If a child receiving assistance enters a public institution or a public hospital, the county shall determine the name of the public facility, the date and the reason the child was admitted, or committed. If the statement of the relative or person caring for the child is not complete and accurate, additional information shall be obtained from court records, other agencies, the physician, or the hospital. It is the responsibility of the person caring for the child to inform the county if the child enters a hospital or institution. The county, however, should be alert at all times concerning any changes in a child's situation in order to change the social plan accordingly.

Upon receipt of information that a child entered a public institution, assistance shall be discontinued effective as of the last day of the month in which the child entered the institution, if committed. If the child entered the institution without court order or commitment, a determination shall be made as to whether he became an inmate or whether there is a definite plan for the immediate removal of the child from the institution during the current or the following month. If he is removed in the same month, eligibility is not affected. If an inmate is not removed by the end of the month in which he entered, he is ineligible for further assistance, except that if he is removed within the month immediately following, an adjustment in grant may be made rather than a discontinuance and restoration. If a child other than an inmate is in a public institution, he is eligible for assistance, if otherwise eligible, in whatever amount is determined to meet his continuing needs.

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C-450 TRANSPORTATION OF NEEDY CHILDREN OUTSIDE THE STATE -REQUIREMENTS

C-450

A county may transport a needy child to a home outside the state, if such an offered home is determined to be proper, and the state will pay one-half of the total expense necessarily incurred in effecting such transportation.

The county shall submit to the SDSW Form CA 201, Certificate of Eligibility, and the evidence that the home to which the child was sent is a proper home with Form DFA 140, Claim for Transportation of Needy Children. (See Secs. 685-00, Transportation of Needy Children Claims, and 685-10, State Audit of Transportation of Needy Children Claims of the SDSW Manual of Policies and Procedures) (W&IC 1580)

C-453 TRANSPORTATION OF NEEDY CHILDREN OUTSIDE THE STATE -DEFINITION

C-453

A needy child, within the meaning of this provision, shall be a child who is receiving, or is eligible to receive ANC. For purposes of transportation outside the state, a child otherwise eligible for ANC shall be considered eligible if he is living in a free home, in a public institution, or is a patient in a public hospital.

An offered home shall be considered to be a "proper home" if a social agency or other authoritative source in the county or state where the home is located submits information that the child's needs will be met in accordance with standards for evaluating a similar offer of a home within the state. (See Sec. C-390, Offer of a Home as a Resource). An authorization given by a public welfare department in another state for the return of a child to that state is not in itself sufficient evidence of a proper home, unless the agency recognizes its responsibility to provide or care for the child.

The total expense may include transportation of a child and relative or attendant, if necessary. (W&IC 1580)

C-456 TRANSPORTATION OF NEEDY CHILDREN OUTSIDE THE STATE -DETERMINATION

C-456

If a child is not receiving ANC at the time such transportation is requested, his eligibility to receive assistance as defined above shall be determined as set forth in this chapter.

Copies of that portion of the out-of-state correspondence which shows the offer of a proper home shall be submitted to the SDSW. If the correspondence is not in itself conclusive, the county shall submit to the SDSW the basis for a determination that the offer was logically acceptable.

It is not necessary to complete an Application, Form CA 200.

A Certificate of Eligibility, Form CA 201, shall be completed except for:

- Item 4 - School Enrollment, Living Plan, Payee, and Federal Participation
- Items 7d and 7e
- Item 8 - Assistance Payment
- Item 9 - However, the signatures of the county Public Assistance Worker and of the Case Supervisor or Director shall be affixed.
- Item 10

Action by the board of supervisors is unnecessary.

(W&IC 1580)

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CHAPTER III—DETERMINATION OF ELIGIBILITY

CERTIFICATE OF ELIGIBILITY

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C-466 (Continued)

C-466

If the case is a non-county case, enter in the spaces provided in the upper right hand section the date residence began in the county of application and the date on which county participation begins. If the case is non-county for some but not all of the children, enter the names of the non-county children above the date residence was established in the county of application. Attach a completed Form CA 234, Statement of Non-County Residence. (See Sec. C-415, Instructions for Completing Statement of Non-County Residence)

Item 1. Name of Applicant. Enter the name of the applicant as shown on the Application, Form CA 200.

Relationship to Children. Enter the relationship (family or other) of the applicant to the children; e.g., mother, aunt, guardian, probation officer, etc.

County Number. Enter the county number assigned to the application.

Former State Number. Enter the former state number (including county prefix) if one is shown on the CA 200. (See Sec. C-140, Instructions for Completing The Application Form)

State Number. If state numbers are not assigned by the county, leave this item blank. The state number should be entered on the county's copy of the Form CA 201 as soon as the List of State Numbers, Form CA 247, is received from the SDSW. If state numbers are assigned by the county, enter the state number.

Item 2. Children's Surname - Mother's Name - Father's Name. Space is provided for two sets of children having a parent in common. Enter the children's surname, the mother's given name, and the father's given name. If the mother's surname differs from that of the children, enter her surname. If more than two sets of children with a parent in common are included, attach a rider.

Item 3. Deprivation of Support or Care. Check in the applicable space or spaces to show the reason or reasons for deprivation of support or care.

Item 4. Children's Names. Enter the children's names. If two children with different surnames have the same given name, identify each child by the initial of the surname or otherwise.

Birthdates. Enter the month, day, and year of birth opposite the name of each child.

School Enrollment 16-18. Enter "yes" or "no" opposite the name of each child 16 to 18 years of age otherwise eligible for federal participation to indicate whether the child is enrolled in school. Leave this item blank for all other children.

(Section Continued on Next Page)

C-460 PURPOSE OF CERTIFICATE OF ELIGIBILITY

C-460

The Certificate of Eligibility, Form CA 201, is the county's report to the SDSW that assistance has been granted or denied by the board of supervisors and is certification that evidence supporting the county's determination of eligibility or ineligibility is on file in the county record. It is also the county's report to the SDSW of county action withheld for children whose eligibility status has not been determined at the time assistance for other children listed on the application is granted or denied. This form substantiates the county's claim for reimbursement. (W&IC 1560)

C-463 WHEN CERTIFICATE OF ELIGIBILITY IS REQUIRED

C-463

A Certificate of Eligibility, Form CA 201, is required to report action for every child for whom application or reapplication has been made on Form CA 200. All children of a family for whom application has been made shall be shown on the same certificate even though the reason for deprivation of parental support and care differs. "Children of a family" means children who have a parent in common. If the children included on the Application, Form CA 200, do not have a parent in common, a separate Certificate of Eligibility shall be submitted for each set of children.

If action is withheld by the board of supervisors for one or more children while assistance is granted or denied for the other children for whom application is made, a Certificate of Eligibility shall be submitted for all the children including those for whom action is withheld. Another Certificate of Eligibility for the child for whom action was previously withheld shall be submitted at the time assistance for that child is granted or denied.

If application is made for an additional child of a family already receiving assistance, a Certificate of Eligibility shall be submitted for the additional child.

Another Certificate of Eligibility together with Notice of Change, Form CA 232, shall be submitted for a child whose application was denied erroneously and the denial is later rescinded by action of the board of supervisors. (W&IC 1560)

C-466 INSTRUCTIONS FOR COMPLETING THE CERTIFICATE OF ELIGIBILITY

C-466

The Certificate of Eligibility, Form CA 201, shall be completed in duplicate. If assistance is granted, the Certificate of Eligibility shall be completed in full. If assistance is denied, complete Items 1, 2, 9b, and 10b only. The original or a certified copy shall be forwarded to the SDSW. One copy shall be retained by the county.

(Section Continued on Next Page)

C-466 (Continued)

C-466

Form CA 241A. The total of the amounts from each source of income shall equal the total net income to the family budget unit shown under Item 7b.

- c. The budgetary deficiency, i.e., the difference between the total budget and the total net income to the family unit, as shown in Item K on the Budget Work Sheet, Form CA 241, or on the county substitute form.
- d. The amount of the assistance payment as shown in Item L of the Budget Work Sheet, Form CA 241, or on the county substitute form.
- e. The difference, if any, between the deficiency (Item 7c) and the assistance payment (Item 7d), as unmet need.

If there is more than one payee for children shown on one Certificate of Eligibility and assistance is granted on a family budget basis to each payee, separate assistance plans shall be reported for the individual groups by use of a rider.

If a Certificate of Eligibility is prepared to grant assistance for an additional child in a family currently receiving ANC on a family budget basis and the payee is the same as for the other children, complete Item 7 to show the assistance plan for all children including those previously granted assistance. If the payee for the additional child is not the same as for the children previously granted assistance, complete Item 7 for the additional child only.

Item 8. Assistance Plan - Individual Child Basis

Name of Child. Enter the given name of the child.

Total need. Enter the total cost of essential goods and services for the child as determined in accordance with Secs. C-506, Determination of Need for Children with Self-supporting Relatives or in Foster Homes, and C-509, Determination of Need for Children Living in Private Institutions.

Parent's Contribution. Enter the amount of the parent's monthly contribution for the child. If the parent does not contribute, leave this item blank.

Other Income - Sources and Amounts. Enter each source of net income and the amount of income from each source other than the contribution by the parent. If there is no such income, leave these spaces blank.

Assistance Payment. Enter the amount of the assistance payment for each child.

(Section Continued on Next Page)

C-466 (Continued)

C-466

Living Plan. Enter the applicable abbreviation to show the living plan for each child as follows:

O.H. - Living in his own home and a parent is payee

E.R. - Living in the home of a relative eligible for federal participation and that relative is the payee

I.R. - Living in the home of a relative or the legal guardian who either is ineligible for federal participation regardless of whether or not that relative is the payee, or is eligible for federal participation but is not the payee

B.H. - Living in a boarding home and not with relatives

Instit. - Living in an institution

Payee - If other than Applicant, Name, Relationship. If the payee for the child is other than the applicant, enter the payee's full name and the relationship to the child opposite the name of the child. If the payee is the applicant, leave this item blank.

Federal Participation. Check "yes" if the child is under 16 years of age and is living with an eligible payee, or is 16 or over and is living with an eligible payee and is enrolled in school. Check "no" for all other children.

Item 5. State Residence. Check in the applicable space to show how the child's state residence is established, i.e., by birth, by the physical presence of the child, or by parent's residence. If the basis for state residence differs for the children, check each applicable space.

Item 6. Property - Real and Personal. Check each space to indicate that real and personal property owned by the parents and children is within the maximums under the ANC law and to indicate that no voluntary assignment of property was made to qualify for assistance.

Item 7. Assistance Plan - Family Budgetary Basis. Enter:

- a. The total budget for the family budget unit as shown in Item G on the Budget Work Sheet, Form CA 241, or on the county substitute form.
- b. The total net income to the family budget unit and the source and the amount from each source of income as shown in Items H, I, and J on the Budget Work Sheet, Form CA 241, on the county substitute form, or on

(Section Continued on Next Page)

C-466 (Continued)

C-466

If an additional child of a family currently receiving ANC on a family budget basis is granted assistance and the payee is the same as for the other children, complete Item 10 with the names of all children included in the family budget unit and enter the full amount of the assistance payment currently granted opposite the name of the first child. If the payee for the additional child is not the same as for the children previously granted assistance or if assistance is granted on an individual child basis, complete Item 10 for the additional child only.

If there is more than one payee for children shown on the same Certificate of Eligibility and assistance is granted on a family budget basis to each payee, enter the amount of the assistance payment to each payee.

If one or more children is receiving foster care, list the names of the children and enter the amount of the assistance payment for each child opposite the name of the child.

If the beginning date of the assistance payment differs for one or more of the children, enter the date opposite the name of each child.

Signature of the County Clerk or Deputy

The Certificate of Eligibility shall be signed by the county clerk or deputy, or chairman of the board of supervisors. The signature may be either an original or a facsimile.

b. Denial by the Board of Supervisors

Enter the name of the county, date of denial of assistance by the board of supervisors, names of children for whom ANC is denied and give the reason for ineligibility.

Signature of the County Clerk or Deputy

The Certificate of Eligibility shall be signed by the county clerk or deputy, or chairman of the board of supervisors. The signature may be either an original or a facsimile. (W&IC 1560)

(Section Continued on Next Page)

C-466 (Continued)

C-466

Item 9. Recommendation to the County Board of Supervisors

a. List the names of the children who are determined to be eligible for assistance. If the beginning date of payment is later than that specified by W&IC 1550 or 1552 (see Item 1, 2, or 3 of Sec. C-518, Beginning Date of Assistance), enter the date from which eligibility is determined and give the reason for ineligibility prior to that date.

If an additional child of a family currently receiving ANC on a family budget basis is granted assistance and the payee is the same as for the other children, complete Item 9a with the names of all children included in the family budget unit. If the payee for the additional child is not the same as for children previously granted assistance or if assistance is granted on an individual child basis, complete Item 9a for the additional child only.

b. List the names of the children who are determined to be ineligible for ANC and give the reasons for ineligibility.

c. List the names of the children whose eligibility status has not been determined and give the reasons for not determining eligibility.

Signature of County Public Assistance Worker

The Certificate of Eligibility should be signed by the county public assistance worker who makes the recommendation to the board of supervisors and the date on which eligibility was determined entered.

Signature of Case Supervisor or Director

The Certificate of Eligibility should be signed by the public assistance supervisor or county welfare director and the date on which the recommendation was approved entered.

Item 10. Action by the County Board of Supervisors

a. Enter the name of the county, date of authorization of payment by the board of supervisors, and the beginning date of the assistance payment.

If assistance is granted on a family budget basis for all children and there is only one payee, list the names of the children and enter the total assistance payment opposite the name of the first child.

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C-466 (Continued)

FORM CA 201

C-466

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C-500 (Continued)

C-500

2. Ascertaining the personal, social, and economic needs of children who qualify under the law.
3. Enabling families and children to meet these needs insofar as possible in accordance with the financial, case work, and other resources available from the county or other community agencies.
4. Informing the parents or other persons responsible for care of the children as to which items the assistance payment covers.
5. Making available case work services which will help parents and their children to attain eventual self support. Such case work services will enable families to obtain for themselves the maximum benefit from community resources for their health, education, recreation and general welfare. (W&IC 1560)

**C-503 DETERMINATION OF NEED FOR CHILDREN IN FAMILY GROUPS
OR WITH NEEDY RELATIVES****A. PERSONS INCLUDED IN THE FAMILY BUDGET UNIT**

The family budget unit shall include:

1. The eligible child
2. The ineligible minor children in need
3. The needy parents (including needy stepparent)
4. Other needy person in the home required to act as caretaker of the child

Exception: If the parent, stepparent, or caretaker is a recipient of OAS, ANB, **or** APSB, he shall not be included in the family budget unit.

B. COST SCHEDULE

The ANC Cost Schedule shows amounts determined by the SDSW to be necessary for a standard of adequate care at minimum cost. The items are priced regionally to establish the money amounts needed to purchase these items in different parts of the state.

(Section Continued on Next Page)

C-500 ASSISTANCE PLANNING

C-500

The ANC program provides financial assistance and services to needy children. The purpose of the assistance payment is to assure children a satisfactory level of living whether they are living with their own family or, of necessity, in the home of a relative, in a boarding home, or in an institution. A satisfactory level of living is considered to be one which promotes physical, mental, and spiritual growth and health and offers opportunity for participation in community life. It includes:

1. Clothing and food of adequate quantity and quality, including special diets if ordered by a physician.
2. Housing which allows adequate sleeping space, reasonable privacy, and complies with sanitary and housing regulations.
3. Attendance at school during legal school age, vocational training, or an opportunity to obtain a higher education for every child who is capable of benefiting by such education.
4. Normal recreational activities and participation in community life.
5. Proper supervision in the absence of the mother.
6. A boarding home or institution meeting approved standards for children in need of foster care.
7. Provision for adequate health care. This includes regular physical examinations, periodic examinations of children who have been in contact with tuberculosis and other infectious diseases, preventive measures, correction of defects, and hospital and out-patient service.
8. Social and vocational services as needed.

Responsibility has been placed on the SDSW for setting minimum standards of adequate care.

The county is responsible for:

1. Interpreting the program to applicants and persons responsible for care of the children and informing them of their rights and responsibilities.

(Section Continued on Next Page)

C-503 (Continued)

C-503

1. Food

The amount for food given in the Cost Schedule shall be included for each individual in the family budget unit.

The amount necessary for special diets for individuals in the family budget unit shall be included if a special diet is recommended by a physician or public health clinic.

Households of only one or two persons shall be allowed an additional 10% for food.

2. Clothing

The amount for clothing given in the Cost Schedule shall be included to cover current replacements in clothing for each individual in the family budget unit.

If the county determines that the members of the family budget unit do not have an initial outfit of clothing, the determination of the amount needed shall be recorded in the narrative and the actual cost of such clothing may be included in the family budget. This amount may be included in a lump sum or prorated over a period.

Clothing for a child's first year may be included in a lump sum before or after the child is born or may be prorated over a period before or after birth or both.

3. Personal Needs

The amount for personal needs given in the Cost Schedule shall be included for each individual in the family budget unit.

4. Recreation

The amount for recreation given in the Cost Schedule shall be included for each individual in the family budget unit.

5. Housing

(Section Continued on Next Page)

C-503 (Continued)

C-503

The Cost Schedule, Form Gen. M45, is issued to counties at regular intervals and shall be used in computing the budget.

Allowances for essential goods and services such as food, clothing, household operations, etc., are shown on a monthly basis. The allowances for food, clothing, personal needs, and recreation are based on age and sex groupings. If "as paid" amounts in excess of the allowances shown on the Cost Schedule are included for items such as utilities, they shall be converted to average monthly amounts in computing the budget. Any items paid by the family on other than a monthly basis, such as weekly rent, shall be converted to monthly amounts on the basis of 4 1/3 weeks per month.

C. EFFECTIVE DATE OF NEW PRICINGS

Revisions to the Cost Schedule due to new pricings shall be made effective not later than the first of the third month following the date released by the SDSW unless other instructions are issued by the SDSW or the SSWB.

For example, if a revised Cost Schedule is released to a county on March 21, the family budgets shall be revised not later than June 1.

D. ESSENTIALS OF LIVING

In computing the family budget, the age of the child shall be the age at the last birthday as of the date assistance is granted, increased, or decreased. The allowances for essential items shall be recomputed:

1. When assistance is restored.
2. When there is a change in family circumstances.
3. When the annual redetermination of eligibility is made.
4. When necessary due to new pricings.

The Budget Work Sheet, Form CA 241, or acceptable substitute shall be used in computing the budget for the family budget unit.

The goods and services essential to a minimum adequate standard of living for children with their own families or needy relatives and the rules for computing the family budget are as follows:

(Section Continued on Next Page)

C-503 (Continued)

C-503

(4) If the home is being purchased, the amount to cover interest and principal payments.

The total amount for taxes, insurance, upkeep and repairs, interest, and principal shall be determined and if it does not exceed the rent ceiling given in the Cost Schedule, **it shall be included**. If the total amount exceeds the rent ceiling, a determination shall be made and recorded in the narrative as to whether any of the special circumstances noted under "rent" exist. If special circumstances exist, the amount paid by the family in excess of the ceiling shall be included.

6. Utilities

The amounts given in the Cost Schedule for **those** utilities used by the family shall be included in accordance with the number in the family budget unit. Ice, if needed, shall be on an "as paid" basis. If a utility used by the family is not listed on the Cost Schedule, the county shall determine the amount necessary and record in the narrative the basis for the determination and include the amount needed.

Exception: If the cost of a utility exceeds the allowance given in the Cost Schedule, the "as paid" amount shall be included if any of the following circumstances exist:

- a. The family uses a utility for more than one purpose (e.g., **electricity for lighting and refrigeration**) which causes the expense for the given utility to be higher than the amount given in the Cost Schedule.
- b. The family has inefficient equipment or a house which requires an unusual amount of a given utility.
- c. Illness or the presence of aged persons or young children in the family requires an unusual amount of a particular utility (electricity or gas for heating or lighting).
- d. **Utility rates in the part of the county where the family lives are higher than in other parts of the county.**

(Section Continued on Next Page)

C-503 (Continued)

C-503

a. Rent

The amount of rent paid shall be included up to the ceiling given in the Cost Schedule. (The ceiling is set for each county at an amount covering actual rents for approximately 90 per cent of the cases.)

If the amount of rent paid exceeds the ceiling, a determination shall be made and recorded in the narrative as to whether any of the following special circumstances exist:

- (1) A suitable home is not available to rent for less than the amount the family is paying.
- (2) Special health or social problems in the family necessitate more or better housing space than is obtainable within the ceiling or prevents the family from moving to other quarters.
- (3) The cost of one or more utilities is included in the rent. The excess shall be included up to the amount allowed for such utilities in the Cost Schedule.

If one or more of these special circumstances is applicable, the amount paid by the family in excess of the ceiling shall be included.

b. Allowances for Home Owned or Being Purchased

Monthly amounts shall be included for the home owned or being purchased as follows:

- (1) Average taxes paid, taken over a period of a year.
- (2) Average fire insurance paid, taken over a period of a year.
- (3) Allowance for upkeep and minor repairs, as follows:

<u>Assessed Valuation</u>	<u>Minimum Allowance Per Month</u>
Under \$1,000	\$2.00
\$1,000 - \$1,999	2.50
\$2,000 - \$3,000	3.00

The cost of major repairs (\$10 or more) shall be included if the repair is necessary to minimize deterioration and to maintain safe, healthful housing.

(Section Continued on Next Page)

C-503 (Continued)

C-503

10. Transportation

The amount deemed necessary by the county for transportation--that is, bus fare **or** carfare at local rates or the cost of upkeep and operation of an automobile--shall be included.

The county shall record in the narrative the determination as to whether or not transportation is necessary and the basis for the determination of the amount included.

11. Insurance

The county shall determine and record in the narrative whether or not insurance policies are carried on the parents or children. (See Sec. C-340, Determination of Personal Property)

If life insurance policies are carried on parents or on children under the age of 18 years, the actual amount of the premiums shall be included, up to a total of \$4 a month for the family.

Exception: a. If premiums are in excess of \$4 and a downward adjustment of the premium is pending, the excess amount may be included.

b. On policies carried on an incapacitated parent either in or out of the home or a parent absent because of confinement in a penal or correctional institution, the excess amount necessary to keep the insurance in effect may be included.

12. Medical and Dental Care

Medical or dental care, treatment, drugs, medicines, or appliances found to be necessary by an examination by a physician or dentist shall be included unless the county determines that the care needed is available without cost. The county shall record in the narrative the determination as to whether or not medical or dental care is needed by the family and the basis for the determination of the amount included or the arrangements made for free care.

(Section Continued on Next Page)

C-503 (Continued)

C-503

The county shall record in the narrative the basis for the determination that special circumstances do or do not exist if the cost of a utility exceeds the allowance in the Cost Schedule.

7. Household Operation

The amount for household operation given in the Cost Schedule shall be included in accordance with the number in the family budget unit. This item covers only cleaning and laundry supplies and minor replacements in minimum amounts for such articles as light globes, lamp chimneys, dishes, household linens, etc.

The actual cost of **initial** supplies, if necessary because of any one of the following circumstances, may be included:

- a. The family coming on assistance does not have necessary items for household operation and maintenance (see Form Gen M42 for articles included in household operation item).
- b. Household equipment and supplies are lost due to such causes as fire or flood.
- c. A new household is being established or a new member enters the household.

8. Telephone

The cost of telephone service, if the county finds the service necessary to the family welfare, shall be included.

The county shall record in the narrative the determination as to whether or not telephone service is necessary and the basis for the determination of the amount included.

9. Education and Incidentals

The amount for education and incidentals given in the Cost Schedule shall be included in accordance with the number in the family budget unit.

(Section Continued on Next Page)

C-504 INSTRUCTIONS FOR THE USE OF FORM CA 241, BUDGET WORK SHEET

C-504

The Budget Work Sheet, Form CA 241, shall be used for computing the assistance payment unless the county has a substitute form approved by the SDSW in use.

Consult the Cost Schedule, Form Gen M45, for current allowances for essential goods and services.

Complete the top of the Form CA 241 with the case information requested.

Item A. List the Members of the "Family Unit"

List by name, sex, and age the members of the family budget unit.

From Form Gen M45, enter for each person the appropriate allowance in the columns Food, Clothing, Personal Needs, and Recreation.

Special Items. Enter the monthly allowance for special needs, if any, included for an individual.

Total vertically the columns for Food, Clothing, Personal Needs, Recreation, and Special Items, and carry these totals to the appropriate spaces under Item F.

Item B. List other Persons Living in Household

List by name, sex, and age all other persons living in the household who are not included in the "Family Budget Unit." If a recipient of OAS, ANB, or APSB is pooling his assistance and other income with the family, he shall be listed here.

Relation to Head of Family. Enter in this column the relationship to the head of the family; e.g., aunt, boarder, or OAS father.

Amount and Source of Income. Enter in this column the amount and source of each person's income, if any. For example, "\$40 Veteran's Pension."

Food. If the person eats with the family, enter an amount for food. If the person is a recipient of OAS, ANB, or APSB, enter the allowance for food included in his grant; otherwise enter the allowance for food according to the ANC Cost Schedule. If the person is a recipient of OAS, ANB, or APSB, who is pooling his assistance and other income, if any, enter the total amount included in his grant for food, transportation, clothing, incidentals and personal needs, special needs, and in ANB and APSB cases, additional expenses incident to blindness.

(Section Continued on Next Page)

C-503 (Continued)

C-503

13. Debts

Payments on an obligation incurred by the family before applying for ANC shall be included if such payments are required to maintain an item of current necessity. If obligations incurred before applying for ANC have no relationship to the current needs, payments on such debts shall not be included in the budget.

14. Major Replacements and Repairs

The cost of major replacements and repairs of household equipment such as a stove, beds, a washing machine, etc., shall be included if the article is needed for the continued well-being of the family. These costs may be included in lump sum amounts or prorated over a period of time.

The county shall record in the narrative the basis for the determination that the replacements or repairs are necessary.

15. Special Needs

Amounts for other special needs of the family budget unit may be included. These needs may include commercial laundry service, salary and expenses of a homemaker, or occasional or unusual goods or services, such as tuition to a trade school, that will contribute to the child's growth and development. The county shall record in the narrative the basis for the determination of the need and also the basis for the amount included.

E. RELATION OF INCOME TO NEED

In order to establish the amount of assistance needed for the family budget unit, it is necessary to relate the total net income available to the total need. The family is in need of assistance to the extent that net income is insufficient to meet the costs of the standard of care for the family budget unit as defined by the SDSW. Net income shall be computed either on Form CA 241A, Worksheet for Computation of Net Income and Total Income Available (optional), or otherwise clearly set forth in the narrative. (W&IC 1560)

C-504 (Continued)

C-504

Item D. Compute Share of Total (C) Allocable to Members of Family Unit

Enter the fraction which will be used to compute the prorated share of allowances for housing, utilities, and household operation to be included for the members of the family budget unit.

Example: A family budget unit includes 3 persons listed under Item A; there are two other persons living in the household, listed under Item B. Total persons in the household is 5. The prorated share of allowances allocable to the family budget unit is, in this case, $\frac{3}{5}$. If the total expenses under Item C is \$20, \$12 is to be entered in Item D as the prorated share of allowances allocable to the family budget unit.

Item E. Education and Incidentals, Transportation, Insurance, Other

Enter the allowance given on the Cost Schedule for the number of persons in the family budget unit for education and incidentals and the allowances for transportation, insurance, and such special items as are to be included.

Item F. Add Allowance Totals Under (A)

Enter opposite each appropriate item the total shown in Item A.

Item G. Total Budget for Family Unit

Enter the total of the amounts shown in Items D, E, and F. Carry this total forward to the space indicated on the line below.

Item H. Income

Enter the sources and the amounts of net income to the family budget unit (except ANC which is shown in Item L), including the amount of the total net contribution to the family budget unit entered in Item B.

Item I. Other Resources

Enter the source and value of income in kind.

Item J. Total Income

Enter the total income, which is the sum of the amounts entered in Items H and I. Carry this amount forward to the space indicated below.

Item K. Budgetary Deficiency

Enter the amount of need; this amount is equal to Item G minus Item J.

Item L. Amount of Grant

Enter the amount of the ANC assistance payment.

Note: Counties using Form CA 241A, Worksheet for Computation of Net Income and Total Income Available (Optional), need not complete Sections B, H, and I of the Form CA 241, Budget Worksheet. The figure entered for Section G, Total Income Available, on the Form CA 241A should be carried over to Section J, Total Income, on the Form CA 241. (W&IC 1560)

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C-504 (Continued)

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If the person eats otherwise or elsewhere, leave this item blank.

Actual Contribution to Family Unit. In this column enter the total amount each person pays to the family, i.e., the amount which he pays for his own room and board plus additional assistance, if any, to the members of the family budget unit. If a recipient of OAS, ANB, or ARSB is pooling his assistance and other income, if any, with the family, enter the amount of his assistance and income.

Compute Share of Housing: Total (C) minus (D). Enter the difference between the total amount for housing, utilities, household operations, and special needs (Total of Item C) and the share of Item C allocable to members of the family budget unit (amount shown in Item D).

Total. Enter in the first column the sum of the food items and the housing item (C minus D). Enter in the second column the total of actual contributions to the family unit (the sum of the entries in that column).

Total Net Contribution to Family Unit. Actual Contribution minus total food and housing. Enter the difference between the entries on the line above. This amount is the portion of the actual contributions to the family budget unit which is considered in excess of the allowance for these persons' share of food and housing. This total is income and is to be carried forward to Item H, Income.

Number of persons in household who share items listed under C

Enter the total number of persons living in the household. This number is the sum of the number of persons listed under Items A and B.

Item C. Housing

Check the applicable housing plan and enter the amounts determined for housing, utilities, and household operation.

Utilities: Enter for each utility used the allowance given in the Cost Schedule or the actual amount paid if the utility is to be included on an "as paid" basis.

Item Cl. Special Need (Family Group)

Enter the allowance to be included for special needs common to the entire household, such as major housing repairs, major replacements and repairs of household equipment, laundry, etc.

(Section Continued on Next Page)

C-505 INSTRUCTIONS FOR COMPLETING THE WORK SHEET FOR COMPUTATION OF
NET INCOME AND TOTAL INCOME AVAILABLE (OPTIONAL) FORM CA 241A

C-505

The work sheet for computing net income is for use of counties in recording the expenses connected with the receipt of income and for figuring the total net income to be deducted from the total allowances for essentials.

Section A. Income from Others in Household. Enter in this section the names of the members of the household who are not included in the family budget. Give the source and amount of their income and the amount of their contribution to the family budget unit. Compute their net contribution to the family budget unit, as set forth in Sec. C-364, Item D. The net contribution is entered in Column g.

Section B. Income from Earnings of Parent. See Sec. C-364, Item A. Enter Gross Earnings (less involuntary deductions) in Item B1; deduct the total expenses connected with the employment (Items 2a through 2g, totaled in Item 3) and enter the Net Income in Item B4.

Section C. Income from Earnings of Unemancipated Minor. See Sec. C-364, Item B. Enter Gross Earnings (less involuntary deductions). Enter 25% (not to exceed \$15) of the gross income for personal incidentals and additional recreational expenses in Item C2 and expenses connected with the employment in Items 3a through 3g. The sum of these items (entered in Item 4) is deducted from the gross earnings to give the net income from earnings.

Section D. Income from Rental Property. See Sec. C-380. Enter the Gross Income in Item D1. Expenses connected with property are entered in Items 2a through 2d. The total of these (entered in Item 3) are deducted from the gross rental income to give the net to the family budget unit.

Section E. Income Received in Kind. See Sec. C-362. This section is used for the computation of the money value to the family budget unit of goods received in kind or produced by the family. In Column (a), enter the type of goods received, in Column (b), the source (home produced, gift of sister, etc.). The figures to be entered in Columns (c), (d), and (e) can be obtained from the basic ANC food, clothing, etc., budget (Forms Gen M39, Gen M40, Gen M169, and Gen M42), converted to monthly quantities. For example, if the family has a cow which supplies milk and butter, the following method would be used in computing the net money value of the milk and butter to the family budget unit: the budget unit consists of a mother, a 1½-year-old boy, a 10-year-old girl, and an 8-year-old boy. The weekly quantities of milk, margarine, and cottage cheese included in the ANC basic food schedule are as follows:

(Section Continued on Next Page)

C-504 (Continued)

FORM CA 241

C-504

C-505 (Continued)

FORM CA 241A

C-505

State of California

Department of Social Welfare

WORKSHEET FOR COMPUTATION OF NET INCOME
AND TOTAL INCOME AVAILABLE (OPTIONAL)

Name _____ Street _____

State Case Number _____ City _____

A. INCOME FROM OTHERS IN HOUSEHOLD (Adult Child, Emancipated Minor, Parent, Relative, Boarder, OAS, ANB, APSB Recipient)

Name (a)	Source of Income (b)	Amount of Income (c)	Amount of Contribution (d)	Food (e)	Pro Rata Share Household Expense (f)	Net Income to Family Budget Unit (g)
1.		\$	\$	\$	\$	\$
2.		\$	\$	\$	\$	\$
3.		\$	\$	\$	\$	\$
4.		\$	\$	\$	\$	\$

5. Total Net Income (Sum of Items 1 through 4 in Column g)

INCOME FROM EARNINGS

B. Parent

1. Gross Earnings (less involuntary deductions) \$ _____
2. Expenses Connected with Employment
 - a. Meals away from home \$ _____
 - b. Additional clothing _____
 - c. Laundry and cleaning _____
 - d. Transportation _____
 - e. Union dues _____
 - f. Equipment _____
 - g. Other _____
3. Total expenses (Sum of Items 2a through 2g) \$ _____
4. Net Income (Item 1 minus Item 3) \$ _____

C. Unemancipated Minor

1. Gross Earnings (less involuntary deductions) \$ _____
2. 25% of Gross for personal incidentals and additional recreation \$ _____
3. Expenses Connected with Employment
 - a. Meals away from home \$ _____
 - b. Additional clothing _____
 - c. Laundry and cleaning _____
 - d. Transportation _____
 - e. Union dues _____
 - f. Equipment _____
 - g. Other _____
4. Total Deductions (Sum of Items 2, 3a through 3g) \$ _____
5. Net Income (Item 1 minus Item 4) \$ _____

* Not to exceed \$15

D. INCOME FROM RENTAL PROPERTY

1. Gross Rental Income \$ _____
2. Expenses Connected with Property
 - a. Upkeep and repair or
15% of Gross + \$4.17 \$ _____
 - b. Taxes _____
 - c. Assessments _____
 - d. Other _____
3. Total Expenses (Sum of Items 2a through 2d) \$ _____
4. Net Income (Item 1 minus Item 3) \$ _____

E. INCOME RECEIVED IN KIND

Type of Goods (a)	Source (b)	Amount of Goods Included in Quantity Schedule (c)	Unit Cost of Goods (d)	Money Value of Goods (e)	Expenses Connected with Receipt (f)	Net Money Value of Goods (g)
1.			\$	\$	\$	\$
2.			\$	\$	\$	\$
3.			\$	\$	\$	\$
4.			\$	\$	\$	\$

5. Total Net Money Value (Sum of Items 1 through 4 in Column g)

F. INCOME AVAILABLE FROM OTHER SOURCES

Kind of Income (a)	Source (b)	Amount (c)	Expenses Connected with Receipt (d)	Net to Family (e)
1.		\$	\$	\$
2.		\$	\$	\$
3.		\$	\$	\$

4. Total Other Net Income (Sum of Items 1 through 3 in Column e)

G. TOTAL INCOME AVAILABLE (Sum of Items A5, B4, C5, D4, E5, F4)

(Section Continued on Next Page)

C-505 (Continued)

C-505

	<u>Milk</u>	<u>Butter (Margarine)</u>	<u>Cottage Cheese</u>
Mother	4 cans evap. or 3 qts.	1/2 lb.	1/2 lb.
Boy, 14	5 qts.	1/2 lb.	1/2 lb.
Girl, 10	5 qts.	1/2 lb.	1/2 lb.
Boy, 8	5 qts.	1/4 lb.	1/4 lb.
Total	18 qts.	1 3/4 lb.	1 3/4 lb.

Monthly amounts: $4 \frac{1}{3} \times 18 = 78$ quarts milk
 $4 \frac{1}{3} \times 1 \frac{3}{4} = 7.61$ lbs. margarine
 $4 \frac{1}{3} \times 1 \frac{3}{4} = 7.61$ lbs. cottage cheese

The latest pricing shows milk @ 20¢ a quart, margarine @ 41¢ a lb., and cottage cheese @ 29¢ a lb.

78 x .20 = \$15.60 value of milk
 $7.61 \times .41 = \$3.12$ value of margarine
 $7.61 \times .29 = \$2.20$ value of cottage cheese
 Total \$20.92

Minimum expenses in connection with production yearly might, in this situation, be established in discussion with the mother, to be as follows:

Since there is some pasturage, 2 tons of hay @ \$35 are used yearly; veterinary service for testing \$6; membership in Breeder's Association \$12.50--a total of \$88.50 yearly. Monthly expenses would be \$7.40.

$\$20.92 - 7.40 = \13.52 net monthly money value of cow to family.

Section F. Income Available from Other Sources. Enter in this section any other income available to the family budget unit (a) the kind, e.g., pension, (b) source (OASI), (c) the amount (\$25.11), (d) expenses in connection with receipt (none), (e) net to family (\$25.11).

Section G. Total Income Available. Enter here the total of the net incomes shown in Sections A through F. This figure will be carried forward to Form CA 241, Item J. (W&RC 1560)

(Section Continued on Next Page)

C-506 (Continued)

C-506

C. RELATION OF INCOME TO NEED

In order to establish the amount of assistance needed for the child in the home of a self-supporting relative or in a foster home, it is necessary to relate the total net income available to the total need. The child is in need of assistance to the extent that his net income is insufficient to meet the cost of his essentials, which may include an allowance for care and supervision. The computation of net income shall be clearly set forth in the case record. (W&IC 1560)

C-509 DETERMINATION OF NEED FOR CHILDREN LIVING IN PRIVATE INSTITUTIONS

C-509

A. ESSENTIALS OF LIVING

The goods and services essential to a minimum adequate standard of living for children living in institutions are the same as those for a child living with his own family or with a needy relative. (See Sec. C-503, Determination of Need for Children In Family Groups or With Needy Relatives) In addition, the children require care and supervision.

For the child receiving institutional care, the institution shall be one licensed by, or whose standards meet the approval of, the SDSW or other state agency.

B. ALLOWANCES FOR ESSENTIALS

The allowance for essentials is the rate agreed upon by negotiation with the institution to cover certain goods and services plus other essential items met from county funds or other sources on a basis determined by the county.

The county shall record in the narrative which of the **essential** goods and services are covered by the rate and show how those essentials not included in the rate are provided.

C. RELATION OF INCOME TO NEED

In order to establish the amount of assistance needed for the child in a private institution, it is necessary to relate the total net income available to his total need. The child is in need of assistance to the extent that his net income is insufficient to meet the cost of his essentials, including care and supervision. The computation of net income shall be clearly set forth in the record. (W&IC 1560)

C-506 DETERMINATION OF NEED FOR CHILDREN WITH SELF-SUPPORTING RELATIVES OR IN FOSTER HOMES**C-506****A. ESSENTIALS OF LIVING**

The goods and services essential to a minimum adequate standard of living for children living with self-supporting relatives or in foster homes are the same as those for a child living with his own family or with a needy relative (see Sec. C-503, Determination of Need for Children In Family Groups or With Needy Relatives). In addition, the children require care and supervision which, if they are living with relatives, may be provided without cost. For children receiving foster care, boarding homes shall meet the requirements for a licensed home.

B. ALLOWANCES FOR ESSENTIALS

The allowance for essentials may be set at a flat rate agreed upon by the county and care-taker-relative or foster mother, may be determined by computing a budget including the essential items of living, or may be a combination of both. If the child is living with a relative, the amount to be allowed should be determined through discussion with the relative, keeping in mind that the relative has no legal responsibility for support of a child.

If the flat rate method is used, the county shall record which of the essential goods and services are covered by the rate and show how those essentials not included in the rate are provided.

If the budget method is used, allowances for food, clothing, personal needs, education and incidentals, and recreation as set forth in the Cost Schedule shall be used. Within the limitations set forth in Sec. C-503, insurance allowances shall be on an "as paid" basis. Transportation, medical and dental care, and special needs may be included in amounts deemed necessary by the county. An allowance for shelter, utilities, and household operations may be included for a child in a foster home on a **prorated** basis. If the child is in the home of a relative who is unable to furnish these items without charge, these items shall be included on a prorated basis. However, if the relative is able to furnish these items without charge, no allowance shall be included. If the relative is unable and unwilling to provide care and supervision without cost, or if the child is in a foster home, an allowance for care and supervision **may** be included. The basis for determination of the individual items of need and of the amounts included shall be recorded in the narrative.

(Section Continued on Next Page)

C-512 (Continued)

C-512

Table of Maximum Reimbursement Amounts for Children in
 Boarding Homes, Institutions, and with Relatives
 Ineligible for Federal Reimbursement

	Maximum Participation	State Share	County Share
<u>Boarding Homes or Ineligible Relatives</u>			
One Child	\$72	\$48	\$24
Each Additional Child	36	24	12
<u>Institutions</u>			
Each Child	36	24	12

Assistance needed in excess of the amounts provided by federal, state, and county funds may be provided by the county from its own funds. If the amount of the assistance needed for the family budget unit exceeds the maximum for state and federal participation, and the family budget unit includes needy parents, step-parent, other caretaker, or ineligible minors, who are eligible for county assistance, the county shall provide county assistance to the individuals in accord with General Relief standards or the ANC standard.

Federal participation is available in the initial payment provided the board of supervisors action occurs within the month for which assistance is granted and the warrant is delivered during the same month or not later in the following month than the time when such payment would normally be issued. It is also available in:

1. A corrective payment for the two months preceding the month in which the corrective payment is authorized; e.g., payment to correct an erroneous denial, to correct an erroneous beginning date of assistance, to increase a payment retroactively, to correct an erroneous payment, to make delayed payment, and to correct an erroneous discontinuance (see Sec. C-545, Corrective Payments).
2. A payment made as a result of an appeal for the period during which the appeal was pending including the month in which the appeal was signed, and the two preceding months.

(Section Continued on Next Page)

C-512 FINANCIAL PARTICIPATION IN ASSISTANCE PAYMENTS

C-512

(For more complete statement, see Financial Procedures Sections)

For each child eligible for ANC, the California law provides that there shall be paid the sum of \$72 per month, or so much thereof as is necessary for the adequate care of the child, or if there is more than one child in the home, the sum of \$72 for one child and \$36 for each of the other children. The state shall pay 2/3 and the county shall pay 1/3 of this amount for the care of a child who has county residence, but the state shall not pay more than \$48 for one child and \$24 for each additional child in the home. For the child who does not have county residence, the state shall pay as needed up to the full \$72 for one child and \$36 for each additional child in the home.

Federal assistance in addition to state and county funds is provided for children eligible under the federal and state laws, not to exceed \$16.50 for one child and \$12 for each additional child.

Table of Maximum Reimbursement Amounts for Children Eligible for Federal Participation

Number of Children	Maximum Participation	State Share	County Share	Federal Share
1	\$ 88.50	\$ 48	\$ 24	\$ 16.50
2	136.50	72	36	28.50
3	184.50	96	48	40.50
4	232.50	120	60	52.50
5	280.50	144	72	64.50
Etc.				

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C-518 BEGINNING DATE OF ASSISTANCE

C-518

The beginning date of assistance on applications is determined by law as follows:

1. Assistance shall begin effective the date the application is signed if the application is granted by the board of supervisors in the same month in which the application is signed.

Example: The application was signed on September 6 and granted by the board of supervisors on September 21. Assistance begins September 6.

2. Assistance shall begin effective the first day of the month in which the application was granted by the board of supervisors if the application was signed in a previous month and 90 days or less have elapsed between the date the application was signed and the date assistance was granted by the board of supervisors.

Example: The application was signed on September 6 and granted by the board of supervisors on November 16. Assistance begins November 1.

3. If the determination of eligibility is not completed by action of the board of supervisors within 90 days from the signing of the application and assistance is granted on the 91st or some subsequent day, assistance shall begin effective the first of the month in which the 90-day period ends. (See Sec. C-512, Financial Participation in Assistance Payments)

Example: The application was signed on September 6 and granted by the board of supervisors on January 10. Since the 90-day period ended December 5, assistance begins December 1.

The day following that on which the application is signed represents the first day of the 90-day period. If the 90th calendar day falls on a Sunday or a legal holiday, the following day may be considered the 90th day. The date on which the board of supervisors acts on the application is regarded as the date on which the determination of eligibility is completed.

If application is made for an additional child in a family for which determination of eligibility is in process or who is receiving an assistance payment, the 90-day period for the additional child begins on the day following that on which the application for this child is signed.

(Section Continued on Next Page)

C-512 (Continued)

C-512

3. A payment made for a child temporarily absent from the home (see *Secs. C-426, Determination of Living in the Home of a Relative for Federal Participation, and C-447, Children in Institutions - Determination*)

4. A payment made during the month a child dies. (W&IC 1511, 1512, 1560; FSS-Admin.)

C-515 AMOUNT OF ASSISTANCE PAYMENT

C-515

A. CHILDREN ELIGIBLE FOR FEDERAL PARTICIPATION LIVING WITH THEIR OWN FAMILY OR WITH RELATIVES

The assistance payment shall be the amount, within the limits **provided** by federal and state laws, by which the total need exceeds the available net income. Assistance needed in excess of the participating **maxima** may be provided from county funds.

If the computation of the budget results in a budget deficiency in an uneven amount, the payment may be adjusted to the next higher whole dollar.

B. CHILDREN INELIGIBLE FOR FEDERAL PARTICIPATION LIVING WITH RELATIVES, IN FOSTER HOMES OR IN INSTITUTIONS

The assistance payment for the child living in a foster home, in the home of an ineligible relative, or in an institution shall be the amount, within the limits provided by state law, by which the total need exceeds the available net income. Assistance needed in excess of the participating maximum may be provided from county funds.

Exception may be made in the amount of payment for a child in a foster home or institution who has income. In such case, the payment to the foster mother or institution **may equal total need** and the income may be treated as a repayment.

If the computation of the budget results in a budget deficiency in an uneven amount, the payment may be adjusted to the next higher whole dollar. (W&IC 1560)

C-518 (Continued)

C-518

the day he returns to that foster home or institution or enters another foster home or institution. However, if assistance is restored pursuant to Sec. C-426, Determination of Living in the Home of a Relative for Federal Participation, the initial payment may antedate the child's departure from the public institution.

If assistance begins on the first day of a month, payment shall be made for the full month. If assistance begins after the first of a month, payment shall cover only the portion of the month for which assistance is granted including the beginning date. (W&IC 1560)

C-521 PAYMENT PROCEDURES

C-521

(For more complete statement, see Financial Procedures sections)

Assistance payments shall be made by warrants redeemable at par.

Payment is effected by deposit of the warrant properly stamped and addressed in the U. S. mail, or by direct delivery to the payee.

Assistance payments shall be made monthly in advance except that payments for children who are living in boarding homes or institutions may be made either in advance or subsequent to the furnishing of care and support. Advance payment means delivery of the warrant on or as near as possible to the first business day of the month.

One warrant may be issued to each boarding home or institution covering all children in the home to whom board and care is given during the month, or a separate warrant may be issued for each child or family group.

If the payee dies, the warrant issued to the deceased payee shall be canceled and a duplicate warrant shall be issued to the new payee.

Payments shall be made to the person or institution providing care for the child for whom the assistance payment is made. If circumstances permit, payment should be made to an eligible relative (see Sec. C-423, Definition of Living in the Home of a Relative for Federal Participation). If assistance is paid for a child who is a ward of the juvenile court, the payment may be made to the probation officer; if payment is made for a parolee from the California Youth Authority for whom the parole officer signed the application, the warrants shall be made payable to, and mailed to, the relative, if the child is living with an eligible relative, or, if the child is living in a boarding home, the warrant shall be made payable to the boarding home mother and shall be mailed in care of the area office of the California Youth Authority.

(Section Continued on Next Page)

C-518 (Continued)

C-518

Example 1: A mother makes application for two children on June 5. An additional child living outside the state returns to the home on July 6, before completion of the determination of eligibility of the first two children. The mother makes application for this child on July 8. The 90-day period for the additional child begins July 9.

Example 2: A mother makes application for two children on June 5. The application is granted September 15 and assistance begins September 1. A child who has been receiving a free home with relatives returns to his mother's home on October 10 and the application for this child is signed on October 15. The 90-day period for this child begins on October 16.

If eligibility or ineligibility has not been determined for a child included on the original application of a family group and board of supervisors action is withheld for such child until a later date, the 90-day period for this child begins on the day following that on which the original application was signed.

4. If investigation establishes eligibility from a date subsequent to the date assistance would otherwise be effective, assistance shall be granted beginning the date on which the child became eligible. If eligibility is dependent upon medical evidence, the condition described in such evidence shall be considered to have existed from the first of the month in which the medical examination is made.
5. If application for assistance has been improperly denied and such action is later rescinded, assistance shall begin on the date assistance would have begun had there been no denial action.
6. In appeals assistance shall begin on the date agreed upon by the SDSW and the county or on the date specified by the SSWB.

The beginning date of assistance shall not antedate the signing of the application. Exception: If the responsibility for assistance is transferred from one county to another, the beginning date of assistance in the new county of residence may antedate the signing of the application in that county. (See Sec. C-554, Payment of Assistance in Inter-County Transfers)

Restorations shall be effective as of the first day of the month in which action is taken by the board of supervisors unless the status of eligibility requires the board of supervisors to specify a later date. If assistance is restored for a child whose assistance was discontinued because he was confined in a public institution, the beginning date of such assistance shall not antedate the day he leaves the institution. If assistance is restored for a child whose assistance was discontinued because he was absent from a boarding home or institution, the beginning date of such assistance shall not antedate

(Section Continued on Next Page)

C-524 (Continued)

C-524

The county is responsible for discussing and suggesting available resources and services within the agency or elsewhere in the community which might be useful to the family. However, the acceptance or rejection of the county's suggestions is at the discretion of the individual. The county shall not imply that the individual must accept these offers of services or suggestions regarding the conduct of his own affairs in order to establish or maintain eligibility for assistance.

The money payment assures the same right to every child whether living with his own family or receiving foster care.

The county may do for the family or child whatever it is authorized to do, if the payee wishes it done and if the county does not assume control of the payee's actions. The county, the payee, and the community must keep in mind continually that the money is the family's or the child's on whose behalf the payment is made. On the basis of this principle, it is possible to distinguish when a given practice becomes restrictive.

Example 1: Determining the amount of need as a basis for the assistance payment by the use of receipts or bills is not a restrictive practice. However, requiring the payee to present receipts for the purpose of showing how he spent all or part of the assistance payment would constitute a restrictive practice.

Example 2: Counseling with a 17-year-old boy about getting a part-time job, including helping him to think through what kind of work he might like to do, and can do, and assisting him by making referral to the employment service or an employer, is not a restrictive practice, provided there is no implied or actual threat that failure to follow the county's suggestions will affect the amount or receipt of assistance, and the boy is free to make ~~his~~ own decisions and to take or reject the county's advice.

Example 3: Explaining to the payee the basis on which the amount of the assistance payment is determined is a proper county function. However, instructions directing that all or part of the assistance payment must be applied to specific bills or for the purchase of specific goods or services would be a restrictive practice.

Example 4: Informing the payee of community resources, referring him to other agencies, and advising regarding the use of community resources are proper county functions. These services can be rendered in such a way that the payee has freedom of choice and decision as to the use of this information and advice.

Example 5: Giving advice about problems affecting the child is a proper function of the county if the payee desires such advice. However, if the payee does not desire this type of service and is unwilling to follow the county's advice, it is not the proper function of the county to assume an authoritative role and to require, either by actual or implied threat of withholding assistance, that the payee follow the county's instructions. Such a requirement or threat is a restrictive practice.

If authoritative action is found essential to protect the welfare of the child or members of his family, the situation should be referred to the appropriate protective or enforcement agency. Assistance shall continue as long as eligibility requirements are met.

(Section Continued on Next Page)

C-521 (Continued)

C-521

Any warrant issued in payment of assistance shall be void if not presented for payment within six months after date of issuance, and a new warrant for assistance in lieu of that void warrant shall not be issued.

If a warrant is lost or destroyed before it is paid by the county treasurer, the amount due may be recovered by the payee by filing with the auditor, prior to the time the warrant becomes void, an affidavit setting forth the fact of the loss or destruction of the warrant, the number, date, amount, name of the payee, and facts relative to its loss or destruction.

A warrant shall be considered lost if it has been mailed and has not been received by the addressee within twenty days after the date of mailing.

If a warrant has been canceled in error by the county auditor, it shall be considered to have been destroyed. (W&IC 1556.5, 1560; FSS-Admin; Government Code 29850, 29853)

C-524 MONEY PAYMENTS AND RESTRICTIVE PAYMENTS

C-524

(For more complete statement, see Financial Procedures sections)

Assistance payments shall be made in conformity with the money payment principle which provides that:

1. Assistance payments shall be made by warrants immediately redeemable at par.
2. Payments shall be made to the payee at regular intervals.
3. Use of the payment shall not be restricted, either directly or by implication.

The family shall have full use of the warrant and there shall be no state or county control of its expenditure. Assistance payments shall be delivered unconditionally to the payee in the full amount for the sole use and benefit of the family or child for whom the assistance payment is made. The money payment, therefore, assures the right to each family to manage its own affairs; to decide what use of its payment will best serve its interests; and to make its purchases through the normal channels of exchange, enjoying the same rights and discharging responsibilities in the same manner as other members of the community.

Neither federal nor state participation is available in assistance payments which are restricted, or for assistance given in kind.

(Section Continued on Next Page)

C-533 DECREASE IN THE ASSISTANCE PAYMENT

C-533

A. REQUIREMENTS

The assistance payment shall be decreased whenever it is determined that the authorized assistance payment is more than the amount by which total need exceeds the net income. Decrease in the assistance payment shall be effected as soon as administratively possible after it is determined that the authorized payment is, or will be, in excess of the budgetary deficit. If the decrease is not effected in the month in which the circumstances changed, an overpayment results and is subject to adjustment or repayment.

The assistance payment shall be decreased (or discontinued) to adjust for overpayment due to ineligibility.

Decrease in the assistance payments to adjust for overpayment in prior months shall be waived if the county determines that such an adjustment would cause hardship to the family. Hardship would apply in cases in which the money had been used by the family, the decreased assistance payment would not meet the current monthly expenses, and the family does not have personal property or other resources to meet the current expenses. If the county determines that hardship would result because of a decrease in the assistance payment to adjust for overpayment, no adjustment within the current adjustment period shall be made and assistance shall continue in the amount necessary to meet current needs. The county shall record in the narrative the basis for the determination that hardship would occur. The application of this exception shall in no way alter the provisions for repayment of overpayments of assistance, which shall be applied.

B. DECREASE DUE TO INCREASED INCOME OR DECREASED NEED

If the exact amount of net income and total need for a given month are known sufficiently in advance, the necessary decrease in the assistance payment shall be made for the month in which income is expected to be received or decrease in need is anticipated.

Example: On January 10 the county determines that a family will receive \$20 as a first payment on industrial compensation insurance on or about February 15. Total need less the increased net income will result in a decrease in the deficit in the family budget by \$20 for February. Therefore, the assistance payment for February shall be decreased to that amount by which the total need exceeds the net income.

(Section Continued on Next Page)

C-524 (Continued)

C-524

Example 6: Counseling with respect to home management may be desired. Mothers may not be well informed on nutritional requirements and how the amount included in the budget for food may be used to provide maximum nutritional benefits. Similarly a mother may wish information concerning clothing or textiles and other aspects of household management and operation. The ANC budget permits little margin of choice, and poor buying may result in real losses to the family. Such counseling should be given to the mother or caretaker by the county worker if it is desired and if the mother is free to accept or reject the advice and to expend the assistance payment as she wishes. The use by the county of its power to provide or withhold assistance through threats or penalties associated with counseling results in restricted payments. (W&IC 1560, FSS-Admin.)

C-527 CHANGES IN ASSISTANCE PAYMENTS - GENERAL

C-527

The assistance payment shall be increased, decreased, discontinued, or restored to reflect any change in need, income, or continuing eligibility for assistance. The amount of the assistance payment shall be redetermined whenever there is a change in need or income. (W&IC 1560)

C-530 INCREASE IN THE ASSISTANCE PAYMENT

C-530

The assistance payment shall be increased as soon as administratively possible whenever it is determined that the authorized assistance payment is less than the amount by which total need exceeds the available net income.

The assistance payment shall be increased retroactively (in a subsequent month for some preceding month) if:

1. The payment was made in the amount authorized, but eligibility for a larger amount is subsequently determined due to a change in need or income, provided it is administratively possible to secure action of the board of supervisors before the end of the second month following that in which the underpayment occurred and provided the warrant for retroactive assistance would total \$1.00 or more.

Example: ANC in the amount of \$150 was paid for October to meet the budget deficiency for a family of mother and four children. On November 10, the county learned that the family took out their first life insurance policy on October 1 on which the amount of the monthly premium was \$4, thereby increasing the need for October by \$4. The board of supervisors shall grant \$4 retroactive assistance for October and \$4 for November. Action shall be taken in November or December.

2. A retroactive increase is granted upon appeal to the SDSW or if the SDSW concurs in the county's recommendation that the appeal be adjusted by payment of retroactive increase without hearing by the SSWB.

For procedures for correcting a payment made for a lesser amount than the amount authorized, see Sec. C-545, Corrective Payments. (W&IC 1560)

C-533 (Continued)

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which the adjustment is made and the two months preceding, provided that the month of adjustment shall be not later than the second month following the month in which overpayment or underpayment occurred. The assistance payment for the month of adjustment, as determined on the basis of total need and net income for that month, shall be increased or decreased by the total amount of underpayment or overpayment in the two preceding months.

Example 1: On May 12 the county learned that a family receiving an assistance payment of \$160 received \$30 in April and \$30 in May from an absent father living outside the home, who indicated he would continue to make this contribution. In a discussion with the mother it was determined that the \$30 received in April did not represent overpayment as the full \$30 was used to meet the cost of roof repairs as a special need (redetermined total need \$190). There was, therefore, neither overpayment nor underpayment in April. However, there was an overpayment of \$30 in May as the other needs remained unchanged. Assistance for June was decreased to \$100 (\$160, the total need, less \$30 income received in June, and less \$30 overpayment in May). Assistance for July was increased to \$130 (\$160 total need, less \$30 income received in July).

Any changes in total need or net income in the current adjustment period not previously considered shall be included in the recomputation to determine the amount of adjustment necessary. Therefore, if overpayment or underpayment occurred in any month of the current adjustment period, a recomputation of total need shall be made for the months in the current adjustment period and for the two months preceding the current adjustment period to redetermine the proper assistance payments that should have been made and should be made in the month of adjustment.

Example 2: The net overpayment or net underpayment in either the first or second month of the current adjustment period may be balanced against any unadjusted overpayment or underpayment in the two months preceding, or in the months within the current adjustment period following, that specific month. In example 1, the recomputation showed neither overpayment nor underpayment in April, the first month of the current adjustment period, therefore, it was unnecessary to recompute the budgets for February and March. The recomputed overpayment in May was adjusted against the budgetary deficit for June. However, it would be equally correct to consider the underpayments, if any, that occurred in the two months prior to May, and to deduct such underpayments from the May overpayment. Therefore, the total need for March should have been recomputed, the underpayment, if any, deducted from the May overpayment, and the total overpayment thus computed adjusted in the June grant.

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C. DECREASE TO ADJUST FOR OVERPAYMENT DUE TO INCOME OR CHANGE IN NEED

If an increase in income or decrease in need is not known sufficiently in advance to decrease the payment in the month the income increases or need decreases, an overpayment of assistance occurs. Unless hardship is determined, the assistance payment shall be decreased to adjust for the overpayment as soon as administratively possible after the overpayment is known, provided that the decrease in assistance is effective not later than the second month following that in which the overpayment occurred.

If income is irregular, adjustment for overpayment by means of a cash repayment may be made within the current adjustment period in lieu of decreasing the payment.

Example: A mother in a family having total need of \$165 secures employment in October. The county ascertains on October 15 that she was paid \$45 which represented net income of \$35.

Adjustment may be made in either of two ways:

- (1) Decrease in assistance effective November, or not later than December, to adjust for the overpayment in October, or
- (2) Repayment by the mother in October or November of the amount of recomputed overpayment, such cash repayment to be reported to the SDSW in the usual manner.

If an overpayment of assistance for a prior month is discovered too late to make the adjustment by a decrease within the current adjustment period (i.e., not later than the second month following the month in which the overpayment occurred), no adjustment for overpayment by decrease in assistance shall be made, but procedures for repayment of assistance shall be applied and assistance shall continue. (See Sec. C-572, Repayment Procedures.)

D. DETERMINATION OF AMOUNT OF OVERPAYMENT DUE TO INCOME OR CHANGE IN NEED

The county shall determine whether overpayment or underpayment occurred during the current adjustment period by redetermining the amount of the assistance payments for which the family was eligible during those months. The current adjustment period is that time within which a change may be effected in the assistance payment that is to be issued in either of the two months next following the month in which an underpayment or overpayment occurred. The current adjustment period includes the month in which the overpayment or underpayment occurred and the two months following; therefore, it is also the month in

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Example 3: On March 17 a family receiving \$130 reported receipt of OASI in the amount of \$11 beginning February 10. The mother also reported that in December she had bought zinc sheeting to put on the wall behind the cook stove, costing \$3, and that in January the oil and electric bills had been \$4 over the usual amounts because the children had been sick. Computation of the amount of overpayment in February required reconsideration of total need in the two preceding months, i.e., January and December. It was determined that the \$3 for zinc in December and the \$4 for excess fuel in January were special needs representing underpayment for those months. February needs had been correctly determined and there was \$11 overpayment. The net overpayment for February was \$4 (\$11 minus \$7). Reconsideration of total need for March showed total need decreased to \$126, less income \$11, deficit \$115, payment \$130, making an overpayment of \$15. For April, the month of adjustment, the assistance payment was \$106. Total need increased to \$136, less income \$11, less total overpayment \$19 for February and March.

Example 4: In a family of 4 children receiving a grant of \$207, the oldest son received in October a payment of \$150 as beneficiary of his grandfather's insurance. The entire amount was immediately used to apply on an old grocery bill and was reported in an office interview later in the month. The family had no resources and no income, there had been frequent illnesses in the family, and the county had provided better housing by arranging for rental of a more adequate house. The school had been cooperating by arranging home work during the illnesses. Overpayment in October occurred in the amount of the allowances in the family budget unit for that son and his caretaker (the mother), and was subject to adjustment in November. The county determined that hardship would result because of the poor physical condition of the children, waived the adjustment and recorded the circumstances and decision in the narrative. Right to request repayment did not exist because the income was reported in the month received and there was neither fraud nor mistake of fact.

If the total overpayment in the current adjustment period exceeds the budgetary deficit for the month of adjustment, the assistance payment for the month of adjustment shall be discontinued as a partial adjustment of the overpayment, unless hardship has been determined. The unadjusted balance of the overpayment (or the total overpayment, if hardship has been determined) is subject to repayment. (See Secs. C-539, Discontinuance of the Assistance Payment, and C-572, Repayment Procedures)

If adjustment for overpayment has not been made within the current adjustment period, the county shall reconsider total need and net income for the month or months in which overpayment occurred, and any changes not previously considered shall be included in the recomputation, including the amount of any underpayments in the two months preceding or the two months following or a combination of one month preceding and one month following any month in which overpayment occurred. The total overpayment for the months involved is subject to repayment. (See Sec. C-572, Repayment Procedures)

E. DECREASE TO ADJUST FOR OVERPAYMENT DUE TO EXCESS REAL OR PERSONAL PROPERTY

If it is discovered that a child was ineligible for assistance because real or personal property exceeded the maximum allowable, but the excess property has been reduced so that the child is eligible for current assistance, it may be possible to adjust for the overpayment due to ineligibility during the one or two months preceding the month of adjustment by a decrease in the assistance payment. (Procedure for determination of amount of overpayment as given in Item D of this section does not apply.)

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If there was underpayment in either of the two months preceding the current adjustment period, the total underpayment shall be deducted from the overpayment, if any, which occurred in the first month of the current adjustment period, since such overpayment may be applied as an adjustment on those underpayments. The net overpayment, if any, in the first month of the current adjustment period as thus redetermined, shall be adjusted in the current adjustment period. (If there was overpayment in either of the two months preceding the current adjustment period, such overpayments are subject to repayment procedure.)

If there was underpayment in the first month of the current adjustment period and overpayment in either of the two months preceding the current adjustment period, the underpayment may be deducted from the total overpayment in those two months and the net underpayment, if any, in the first month of the current adjustment period as thus redetermined, shall be adjusted in the current adjustment period. As an optional alternative, an underpayment in the first month of the current adjustment period may be deducted from the overpayment in the second month of the current adjustment period.

The overpayment or underpayment in the second month of the current adjustment period shall be recomputed.

The net overpayment or the net underpayment in the first month shall then be balanced against the overpayment or underpayment in the second month, to determine the total overpayment or total underpayment, if any, in the current adjustment period. That amount shall be deducted from, or added to, the recomputed budgetary deficit in the month of adjustment, and the sum or difference shall be the amount of the adjusted payment in the month of adjustment.

If the recomputation of amount of assistance that should have been paid in the first two months of the current adjustment period results in a total underpayment, that amount shall be issued by supplementary warrant or added to the payment of assistance for the month of adjustment.

If the recomputation of amount of assistance that should have been paid in the first two months of the current adjustment period results in a total overpayment, that amount shall be deducted from the amount of assistance payment for the month of adjustment, unless hardship is determined.

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2. If the overpayment is due to constructive fraud or mistake of fact, the assistance payment for which the child is eligible in the month of adjustment shall be decreased by the largest amount by which the property exceeded the maximum allowable during the two preceding months or by the amount of the assistance payment made and for which the child was ineligible during the month or two months preceding, whichever is the lesser amount.

Example 1: During November the county discovers that the two children were ineligible for ANC on October 1, as total value of the family's cash and securities was \$627 on that date. This value remained the same on November 1, but during November was reduced to within the maximum allowable. The family's regular income was \$45, total monthly need in October and November \$150, and the assistance payment was \$105 each month. The overpayment was due to constructive fraud because the family did not realize that collection of a debt in September caused their personal property to exceed \$600. Although the children were ineligible in both October and November because of excess personal property, adjustment is in order for only the excess in the amount of \$27. The children would otherwise be eligible to receive \$105 on December 1 (\$150 total need less \$45 income). The excess of \$27 is deducted from this amount and the assistance payment for December is, therefore, \$78.

Example 2: The county discovers on February 16 that a family's personal property had been in excess of the maximum allowable since September. Personal property had gradually been reduced from a maximum of \$635 in September to \$617 in January and \$614 in February. By March 1 the personal property is reduced to within the maximum allowable. Although the children were ineligible from September through February, it is determined that the overpayment was due to constructive fraud. Total need in March, the month of adjustment is \$165 and the only income is \$40 net earnings. Were it not for the overpayment which occurred in January and February, the children would be eligible to receive an assistance payment in March of \$125. The maximum by which personal property was excessive in January and February, the two months preceding the month of adjustment, was \$17 and accordingly the March assistance payment is reduced to \$108 (\$125 less \$17 excess). Since in September the family's personal property exceeded the maximum allowable by \$35, of this excess \$18 remains unadjusted (\$35 maximum excess less the \$17 adjusted by the decrease in the March payment). This unadjusted excess, and only this amount, shall be subject to repayment under the provisions of Sec. C-572.

Example 3: The family with a \$500 bank account receiving \$120 ANC received a lump sum OASI benefit of \$225 on April 3 and reported it on April 10. The assistance payment was continued. The family was eligible on April 1, therefore no overpayment occurred in April because of the receipt of excess personal property during the month. On May 1 total personal property was \$725 and the family was ineligible. Mistake of fact occurred in that the county had been properly informed. The amount of the assistance payment was less than the amount of the excess personal property, therefore repayment in the amount of \$120 is due.

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If the current adjustment procedure for decreases does not entirely adjust the overpayment, the following procedures apply:

1. If the amount of the overpayment during the month or two months preceding the month of adjustment exceeds the amount for which the child is eligible in the month of adjustment, assistance shall be discontinued for one month to adjust for overpayment. (See Sec. C-539, Discontinuance of the Assistance Payment)
2. If the period of ineligibility due to excess property extends prior to the current adjustment period (i.e., into or beyond the third month prior to the month of adjustment), the overpayment for the remainder of the period of ineligibility is subject to repayment provisions. (See Sec. C-572, Repayment Procedures)
3. If it is discovered that a period of ineligibility occurred prior to the current adjustment period but the child is eligible during the current adjustment period, the overpayment which occurred is subject to repayment procedures. (See Sec. C-572, Repayment Procedures)

The county shall determine whether the overpayment occurred due to actual fraud, constructive fraud, or mistake of fact (see Sec. C-572, Repayment Procedures) and shall request repayment, if applicable, or adjust for the overpayment as follows:

1. If the overpayment is due to actual fraud, the assistance payment for which the child is eligible in the month of adjustment shall be decreased by the amount of the assistance payment which was made and for which the child was ineligible during the month or two months preceding.

Example: The county discovers on December 16 that the personal property of a mother and child had totaled \$612 since July 1. Actual fraud existed because the mother admitted she did not report the change in the family's circumstances as she did not wish the assistance payment of \$50 to be discontinued. By January 1 the personal property is reduced to within the statutory maximum. Total need in January, the month of adjustment, is increased to \$120 and the family's previous income of \$50 has ceased. The family would, therefore, be eligible to receive \$120 were it not for the overpayment due to excess personal property. Adjustment is in order for the full amount of assistance paid in November and December (\$100) and the assistance payment effective January 1 is reduced to \$20. The unadjusted remainder of overpayment for the period July 1 through October 31 is subject to repayment under provisions of Sec. C-572, Repayment Procedures.

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C-536 (Continued)

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If continued eligibility is determined, the county shall forward a notice in duplicate to the county auditor requesting the warrant for the month specified to be released. A triplicate copy of the notice shall be filed in the case record. A statement covering the cause for withholding payment and the results of the redetermination of eligibility shall be recorded in the narrative or on the triplicate copy only of the notice. Upon release of the warrant, the county auditor shall indicate on the second copy of the notice the date of release of the warrant and shall sign the notice and return it to the county welfare department where it shall be filed in the case record. Board of supervisors action is not required to release a withheld or suspended warrant and request for release of such warrants shall be made as soon as continued eligibility has been determined.

If factors beyond the control of the county delay the redetermination of eligibility, the warrant for the second month shall be issued but delivery may be withheld in the same manner. If necessary, delivery of this warrant as well as the preceding warrant may be withheld beyond the second month. Further suspension action by the board of supervisors is not required.

In extreme cases, delivery of the warrant for the third month may also be withheld. If eligibility has not been determined by the last day of the third month, the warrant for the third month, together with the warrants for the two previous months, shall be canceled, and assistance shall be discontinued effective the last day of the month immediately preceding the first suspended payment.

If eligibility is established during the second or third month, the usual notification to the county auditor shall be forwarded in duplicate, requesting that the withheld warrants be released. The auditor shall return one copy to the county welfare department after indicating the particular warrants which were released and the date of release. In no case may the warrants be released later than the last day of the third month.

If ineligibility for all of the suspended warrants and for current assistance is determined, the suspended warrant or warrants shall be canceled. Assistance shall be discontinued effective the last day of the month preceding that for which the warrant or warrants are canceled. The Notice of Change reporting the action to the SDSW shall also indicate which warrant or warrants are to be canceled.

If assistance payments are authorized but delivery of two or more warrants is withheld while redetermination of eligibility is made, it will sometimes be established that the child was ineligible for certain of the suspended warrants but eligible for the others. The warrant or warrants for which the child is found ineligible shall be canceled and such cancellation shall be reported to the SDSW.

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C-533 (Continued)

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F. DECREASE TO ADJUST FOR OVERPAYMENT DUE TO REASONS OTHER THAN INCOME, CHANGE IN NEED, OR EXCESS PROPERTY

If overpayment occurs for a reason other than increased income, decreased need, or excess real or personal property within the current adjustment period and the circumstances have so changed that the child is again eligible for assistance, an adjustment by a decrease in the assistance payment shall be made, if possible. In such situations the assistance payment for which the child is eligible in the month of adjustment shall be determined in accordance with Item D of this section.

Example: An ANC application for a child was signed on September 6. However, ANC was granted from September 1 in the amount of \$120. Since assistance may not antedate the signing of the application, the family was overpaid for five days in September, or \$20. Were it not for the overpayment which occurred in September, the family would be entitled to receive \$120 in October. The assistance payment for that month is decreased to \$100 (\$120 less \$20 overpayment) and is increased to \$120 effective November 1.

If the overpayment is discovered too late to make an adjustment by a decrease in the assistance payment within the current adjustment period, the overpayment is subject to repayment provisions. (W&IC 1506, 1560)

C-536 SUSPENSION OF PAYMENT

C-536

If the county doubts the eligibility of a child to receive an authorized assistance payment and does not have sufficient information to determine continued eligibility or ineligibility, the payment of assistance may be withheld pending a redetermination of eligibility. If such warrant is withheld until the first meeting of the board of supervisors in the month following that in which delivery was withheld, that withholding action becomes suspension of payment and shall be authorized by the board of supervisors at that meeting.

Exception: An initial warrant shall not be suspended.

If a question concerning continued eligibility is raised making it advisable to withhold the payment of assistance while a redetermination of eligibility is being made, the county welfare department shall forward a notice in duplicate to the county auditor requesting that the warrant for the specified month be withheld from delivery. The request notice shall contain the name, address, case numbers, the request for withholding the warrant, and the month for which assistance is to be withheld. A triplicate copy of the notice shall be filed in the case record. (Counties may devise their own form of notification to the county auditor.)

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C-539 DISCONTINUANCE OF THE ASSISTANCE PAYMENT**C-539****A. REQUIREMENTS**

Discontinuance of assistance is effective as of the last day of the month for which the last payment was made.

The assistance payment shall be discontinued as soon as administratively possible if the child does not meet eligibility requirements. Unless the discontinuance is effective by the last day of the month in which ineligibility occurred, an overpayment results and is subject to adjustment or repayment.

The assistance payment shall be discontinued (or decreased) to adjust for overpayment due to change in income or need.

Discontinuance of the assistance payment to adjust for overpayment in prior months shall be waived if the county determines that such a discontinuance would cause hardship to the family. Hardship would apply in cases in which the money had been used by the family and the family does not have personal property or other resources to meet the current expenses. If the county determines that hardship would result because of a discontinuance of the assistance payment to adjust for overpayment, no adjustment within the current adjustment period shall be made and assistance shall continue in the amount necessary to meet current needs. The county shall record in the narrative the basis for the determination that hardship would occur. The application of this exception shall in no way alter the provision for repayment of overpayments of assistance, which shall be applied.

If the family is currently eligible but ineligibility occurred in either of the two preceding months and overpayment resulted because of failure to discontinue assistance, the overpayment may be adjusted by decrease or discontinuance of the current payment for one month.

B. DISCONTINUANCE BECAUSE OF INELIGIBILITY

If the child was eligible on the first day of the month but eligibility status changes at some time during that month, the child was eligible for assistance received that month and no overpayment occurs if assistance is discontinued effective the end of that particular month. Ineligibility that occurs within the month does not change the eligibility in effect on the first of the month when the assistance payment was released; therefore, there is no overpayment and ineligibility does not occur until the first day of the following month.

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If assistance continues, the cancelation of an interim suspended warrant or warrants does not result in an interruption of the authorization for payment of assistance. The authorization has been continuously in effect, and, therefore, assistance is not discontinued by a canceled payment. The delivery of a warrant for the month following the period covered by the canceled suspended warrant or warrants does not constitute restoration. The Notice of Change, Form CA 232, showing board of supervisors action shall be used to report to the SDSW the month or months for which the suspended payment was canceled and the reason. Only those payments which are canceled under the circumstances described in this section shall be reported in this manner. (See Sec. C-569, Item B, for instructions for completing the Notice of Change)

If it is found, during the withholding or suspension of payment, that the child was eligible for a lesser amount of assistance than that for which the withheld or suspended warrant or warrants were issued, the original warrant and any other suspended warrants may be paid and a repayment sought from the payee for the amount in excess of that for which the child was eligible, or the original warrant and other subsequently suspended warrants may be canceled and a new warrant or warrants in the correct amount issued. (See Sec. C-533, Decrease In the Assistance Payment) If the original warrant and any subsequently suspended warrants are canceled and a new warrant or warrants issued, the board of supervisors shall approve the changed grant and the new warrant or warrants shall be issued before the end of the third month for which payment of the first warrant was withheld.

If it is found, during the suspension of payment, that the child was overpaid in either of the two months prior to the month for which payment is suspended, the overpayment shall be adjusted in accordance with Sec. C-533, Decrease in the Assistance Payment, or Sec. C-539, Discontinuance of the Assistance Payment.

If, during suspension of payment it is determined that the child was eligible for a greater amount of assistance than that for which a suspended warrant or warrants were issued, the original warrant or warrants may be released. The additional amount due for a particular month may be paid retroactively, or the original warrant or warrants may be canceled and a new warrant or warrants in the correct amount issued, provided the action by the board of supervisors increasing the assistance retroactively is taken before the end of the second month following that for which the retroactive payment is made. (See Sec. C-530, Increase in the Assistance Payment) (W&IC 1552.5, 1560)

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D. DISCONTINUANCE TO ADJUST FOR OVERPAYMENT DUE TO EXCESS REAL OR PERSONAL PROPERTY

If it is discovered that a child or family unit was ineligible for assistance because real or personal property exceeded the legal maximum allowable, but the excess property has been reduced so that the child is eligible for current assistance, it may be possible to adjust for the overpayment due to ineligibility during the one or two months preceding the month of adjustment by discontinuing the assistance payment for one month, unless hardship is determined. The cause and amount of overpayment due to excess property shall be determined as for decrease in assistance payments (see Sec. C-533). If the discontinuance does not totally adjust the overpayment, the unadjusted balance of the overpayment in the adjustment period and any overpayment in prior periods is subject to repayment provisions.

Example: On October 15 the county discovers that the family was ineligible for the \$95 payments for September and October because they possessed \$900 personal property, but their holdings are reduced within the maximum by November 1. Overpayment was determined to be due to constructive fraud. Were it not for the overpayment of \$190 (\$95 in both September and October) the family would be eligible for \$95 on November 1. Assistance is discontinued October 31 and restored December 1 in the amount of \$95. The discontinuance for November adjusts for \$95 of the \$190 overpayment. The unadjusted remainder of overpayment (\$95) is subject to repayment under the provisions of Sec. C-572, Repayment Procedures.

E. DISCONTINUANCE TO ADJUST FOR OVERPAYMENT DUE TO REASONS OTHER THAN INCOME, CHANGE IN NEED, OR EXCESS PROPERTY

If overpayment occurs for a reason other than increased income, decreased need, or excess real or personal property within two months prior to the month of adjustment and the circumstances have so changed that the child is again eligible for assistance, an adjustment of the overpayment by discontinuance of assistance for one month shall be made, if applicable.

If, at the time disqualifying factors are discovered, the child is currently eligible for assistance, adjustment for the prior overpayment shall be made unless hardship is determined, provided the month of adjustment (i.e., the month for which assistance is discontinued) is not more than two months subsequent to the month of ineligibility. (W&IC 1552.3, 1560)

C-542 RESTORATION OF ASSISTANCE**C-542**

Restoration is the procedure for granting of assistance for a child after a discontinuance of assistance by the same county within 12 months, except that assistance for a child whose family is receiving assistance may be restored at any time.

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Example 1: A family having no income received an assistance payment of \$175 on October 1. On October 17 they began receiving a regular monthly income of \$200. Assistance is discontinued effective October 31. No repayment is due.

Example 2: A family received an assistance payment of \$137 on December 1. On December 5 they received \$400 cash through inheritance which caused the personal property holdings to exceed \$600. Assistance is discontinued December 31. No repayment is due.

C. DISCONTINUANCE TO ADJUST FOR OVERPAYMENT DUE TO INCOME OR CHANGE IN NEED

If an overpayment occurs due to an increase in income or decrease in need, the county shall determine the amount of the overpayment (see Sec. C-533, D, Determination of Amount of Overpayment Due to Income or Change in Need) and adjust the assistance payment, if possible. If the child is eligible for assistance in the month of adjustment and if the amount of the overpayment in the two preceding months equals or exceeds the amount of assistance for which the child is eligible in the month of adjustment, assistance shall be discontinued for one month unless hardship is determined. Such a discontinuance adjusts for overpayment in the two preceding months to the extent of the amount of assistance for which the child would have been eligible if no overpayment had occurred. No further adjustment in the assistance payment for a prior period shall be made. Any unadjusted remainder of overpayment is subject to repayment provisions.

(See Sec. C-572, Repayment Procedures)

Example: A family is eligible as of November 1 for an ANC grant of \$90. On November 15 the family received \$60 income and the same amount on December 15. Assistance was discontinued effective December 31 and restored effective February 1. Had no adjustment been necessary, \$90 ANC would have been paid for January (the month of adjustment). Since constructive fraud was determined to exist, the \$120 overpayment is adjusted to the extent of \$90 by the one month discontinuance, and repayment of \$30 is requested. If the family has no resources other than the income including the grant for which they are currently eligible, repayment shall not be required until the family at some future time is possessed of resources from which repayment can be made.

If the county does not learn of the receipt of excess income in time to discontinue assistance effective the last day of the month in which the income was received, an overpayment occurs. If the income in the current month is sufficient to meet total needs, assistance shall be discontinued and the overpayment is subject to repayment provisions.

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Rescission of an erroneous denial or erroneous discontinuance (see Sec. C-545, **Corrective Payments**), and payment of assistance following cancelation of a warrant (see Sec. C-536, **Suspension of Payment**), is not restoration. (W&IC 1560)

C-545 CORRECTIVE PAYMENTS**C-545**

Errors in the payment of assistance shall be corrected by the county if possible.

If it is found that assistance should have begun at an earlier date than that established when assistance was granted, the board of supervisors shall take action to correct the erroneous beginning date of assistance.

If an authorization for payment is in effect but through error no payment is made, payment shall be made, providing it is possible to do so within a three-month period including the month in which no payment was made. No further action by the board of supervisors is necessary for such a payment.

If a payment is for less than the amount authorized, the additional amount of payment shall be made, providing it is possible to do so within a three-month period including the month in which the erroneous payment was made. No further action by the board of supervisors is necessary for such a payment.

If a warrant is returned to the county auditor's office because of a change in the address of the payee, the warrant shall be transmitted to the payee's new address as soon as possible in the current month or within the two subsequent months following that for which the warrant was issued. If assistance is continuous and there is a change of payee, the warrant shall be delivered to the new payee as soon as possible in the same month or within the two subsequent months following that for which payment is made.

If the board of supervisors rescinds an erroneous denial within the one year period permitted for such rescission, assistance shall be paid retroactively in accordance with the original application.

If the board of supervisors rescinds an erroneous discontinuance within the one year period permitted for such rescission, retroactive assistance for the months for which assistance was erroneously discontinued shall be paid. (W&IC 1560)

C-542 (Continued)

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If restoration of assistance is requested for a child or for a family whose assistance has been discontinued for less than 12 months, or for a child whose family is receiving assistance, neither an Application, Form CA 200, nor a Certificate of Eligibility, Form CA 201, is required. The date of request and reason for request shall be recorded in the narrative with the basis for determination of eligibility or ineligibility. The narrative shall show that the cause for discontinuance no longer applies. If a redetermination of eligibility of the family or of the child has not been made within 12 months, an Applicant's Affirmation of Eligibility, Form CA 206, shall be obtained. The redetermination of eligibility for restoration shall include the exact date eligibility is effective. Restoration shall be reported to the SDSW by Notice of Change, Form CA 232. (See Sec. C-569, Instructions for Completing Notice of Change)

Determination of eligibility shall be made promptly following the request for restoration. Restoration shall be effective as of the first of the month in which action is taken by the board of supervisors unless the family or child is ineligible until a specified later date, or the board of supervisors authorizes automatic restoration for a partial month. (See Sec. C-518, Beginning Date of Assistance)

Repayment of assistance or the signing of an agreement to repay assistance for which the family or child was not eligible shall not be a condition for restoration of assistance for which the family or child is currently eligible.

When assistance is discontinued, the board of supervisors may provide for automatic restoration of assistance when the reason for discontinuance ceases to cause ineligibility. To effect an automatic restoration the board of supervisors shall simultaneously discontinue assistance on a specified effective date and restore assistance with no effective date specified. Reason for discontinuance shall be stated in the usual manner and the Notice of Change, Form CA 232, forwarded to the SDSW within 15 days after the action. Upon the cessation of the circumstances which caused ineligibility, (e.g., child released from a public institution; child entered a boarding home from a free home), the Form CA 232 restoring assistance shall be completed, showing the reason the child again became eligible and the effective date, and immediately submitted to the SDSW. If eligibility begins after the first of a month, a warrant shall be issued for the balance of the month from the effective date and claim for the partial month made on the supplemental payroll.

The automatic restoration procedure shall be used if assistance has been discontinued because a child has been confined in a detention home or other public institution or has been temporarily placed in a free home and that home is no longer available.

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C-554 PAYMENT OF ASSISTANCE IN INTER-COUNTY TRANSFERS**C-554**

No interruption in the receipt of assistance shall be occasioned by a change of residence within the state.

If the residence of a child receiving regular assistance is changed to another county, assistance shall be paid on a regular basis by the county granting assistance until the required one year of residence in the new county is completed or until assistance is discontinued because of ineligibility. There shall be neither lag nor overlapping between the date of discontinuance by the first county granting assistance and the beginning date of assistance in the new county of residence. Assistance shall be paid by the new county of residence as of the first day of the month following the completion of one year of residence in that county, unless the date of completion of one year of residence falls on the first day of the month, in which event assistance shall begin as of that date, irrespective of the date of application or date of action by the board of supervisors.

If the residence of a child receiving non-county assistance is changed to another county, non-county assistance may be continued by the first county until continuous residence of one year has been completed in a single county. Assistance shall be discontinued by the county granting assistance on a date agreed upon by the new county of residence, and the new county of residence shall assume responsibility for assistance on a non-county basis as soon as administratively possible, but not later than the date upon which the required one year of residence is completed in the new county. Regular assistance shall be paid by the new county of residence as of the first of the month following completion of one year of residence in that county (unless the date of completion of one year of residence falls on the first day of the month).

If the person whose residence governs the residence of a child receiving non-county assistance moves from his county of residence to another county with intent to reside and then returns to the first county with intent to reside, after an absence of less than one year, but before the first county has discontinued assistance, payment of non-county assistance shall be continued by that county until such time as one year of continuous residence has been acquired in that county.

If the person whose residence governs the residence of a child receiving non-county assistance moves to another county with intent to reside and assistance has been discontinued by the first county because of ineligibility, non-county assistance shall be restored by the first county if the person returns to that county with intent to remain after an absence of less than one year and before assistance is granted in the second county. Non-county assistance in the first county shall be paid until one year of continuous residence has been acquired in that county.

(Section Continued on Next Page)

C-548 CHANGE OF PAYEE

C-548

Payments shall be made to the person or institution providing care for the child except during temporary absence of the child or payee from the home. (See Sec. C-423, Definition of Living in the Home of a Relative for Federal Participation) If a change in living plan is necessary for a child, the county shall determine whether the plan is a temporary one and payment should continue to the present payee or whether there should be a change in payee. All changes in payee shall be reported promptly to the SDSW on the Notice of Change, Form CA 232. Action by the board of supervisors on such changes is not required. (W&IC 1560)

C-551 CHANGE OF SCHOOL STATUS

C-551

Federal regulations provide participation in payments for children 16 years of age or over but under 18 years of age who are regularly attending school. (See Sec. C-435, Definition of Regular School Attendance for Federal Participation) The county shall notify the SDSW of school status in any of the following situations.

1. A child reaches the age of 16 and is not enrolled in school.
2. A child is 16 or over and terminates school enrollment.
3. A child is 16 or over and was previously reported as not enrolled in school but re-enrolls.
4. A child is 16 or over and there is a change from a payee ineligible for federal participation to an eligible payee.
5. Assistance is restored for a child 16 or over and a new school year began between the date of discontinuance and the date of restoration.
6. Assistance is restored for a child 16 or over who was not enrolled in school at the time of discontinuance.
7. Assistance is restored for a child who reached his 16th birthday between the date of discontinuance and the date of restoration.
8. Assistance is granted during the vacation period for a child 16 or over.

Such notifications of school status shall be submitted to the SDSW on Form CA 232 not later than the end of the month following the month in which the determination is made by the county. Action by the board of supervisors on such notices is not required. (W&IC 1560; FSS-Admin.)

C-554 (Continued)

C-554

If regular or non-county assistance is being paid by the first county and assistance for one child in the family group is discontinued because of ineligibility and later restored during the period while the required residence in the second county is being acquired, restoration for such child shall be made and non-county assistance paid by the first county. If the second county has assumed responsibility for the payment of non-county assistance to the remainder of the family group, non-county assistance shall be granted upon application for such a child, by the second county, if he is eligible. A separate payment shall not be made for the non-county child if he returns to the same home and has the same payee as the other children after restoration of assistance.

If assistance is granted by a county before non-county status or county residence is determined, and the child is later determined to have non-county status, an adjustment will be made by the SDSW, upon receipt of Statement of Non-County Residence, Form CA 234, to allow non-county reimbursement for the prior months. If the child's residence is later determined to be in another county, an adjustment will be made by the SDSW, upon request and after the responsibility for the case has been transferred to the county of residence, to allow for non-county reimbursement for the prior months to the county granting assistance. The county share of these assistance payments will be deducted by the SDSW from a claim of the county of residence. In such cases, arrangements for transfer of the case to the county of residence shall be completed as soon as possible.

The county to which a child receiving regular assistance has removed, shall provide necessary medical and/or hospital care during the one-year period for the establishment of residence. Except in emergency cases, the county giving such care shall give immediate notice to the county granting ANC. The responsible county shall concur in the plan of the county giving medical or hospital care within thirty days of receipt of notice or shall submit an adequate substitute plan. If the responsible county fails to do either within thirty days, the county offering medical and hospital care may proceed to demand payment for such care from the county granting assistance. Cost of such care shall be a proper charge upon the county granting assistance if regular assistance is being paid. (W&IC 1560)

C-557 RECOMMENDATION TO BOARD OF SUPERVISORS

C-557

On the basis of its determination, the county shall recommend to the board of supervisors any indicated change in the assistance payment, including restoration, increase, decrease, cancellation of warrants under suspension procedure, and discontinuance. If it is recommended that the assistance payment be restored, increased, or decreased, the recommendation shall include the amount of the changed assistance payment as well as the effective date. All recommendations for other changes shall include the effective date. (See Sec. C-145 regarding recommendation for initial payment on applications) (W&IC 1560)

C-554 (Continued)

C-554

If the residence of a child receiving regular assistance is changed from a second to a third county before one year of residence is completed in the second county, the first county continues to be responsible for the payment of regular assistance until the end of the month following completion of one year from the date residence was established outside the first county (unless the change of residence took place on the first day of the month). The third county shall, if possible, grant non-county assistance effective the first of the month following one year of absence from the first county. However, if it is administratively impossible for the third county to grant non-county assistance effective on that date, the first county shall continue assistance, but on a non-county basis, until a date agreed upon with the third county. In no event shall the first county continue non-county assistance beyond the first of the month following the date on which one year of residence has been acquired in another county.

If the residence of a child receiving non-county assistance is changed from a second to a third county before one year of residence is completed in the second county and before the second county has granted assistance, the first county shall continue payment of non-county assistance until it is administratively possible for the third county to grant assistance. In no event shall the first county continue non-county assistance beyond the first of the month following the date on which one year of residence has been acquired in another county.

If the residence of a child is changed from a second to a third county subsequent to the date one year of residence is completed in the second county, the second county shall be responsible for payment of regular assistance until the end of the month following one year of absence therefrom, except that if the change of residence took place on the first day of the month, responsibility of the second county ceases one year from that date.

If payment of assistance for the entire family group (either regular or non-county) is discontinued by the first county because of ineligibility subsequent to the change of residence to the second county, responsibility of the first county ceases. If eligibility is later established, non-county assistance is payable by the second county until the end of the month in which one year of residence in the second county is completed (unless the change of residence took place on the first day of the month). However, if payment of assistance by the first county was discontinued erroneously, the first county shall be responsible for restoration and for continued payment of assistance in the same manner as though payment of assistance had not been interrupted.

(Section Continued on Next Page)

C-563 (Continued)

C-563

NUMBER OF COPIES OF NOTICE OF CHANGE, FORM CA 232, SENT TO SDSW

Type of Change	Number of Copies
Discontinuance	2
Restoration	2
Increase	1
Decrease	1
Change of Payee* (See Sec. C-548)	2
Cancelation of Warrant under Special Suspension Procedure (See Sec. C-536)	2
Change in School Status* (See Sec. C-551)	1

*Action of board of supervisors is not necessary

C-566 REPORTING ACTION OF THE BOARD OF SUPERVISORS TO THE PAYEE

C-566

If assistance is restored, increased, decreased, or discontinued, the county shall send to the payee written notification of the board of supervisors action immediately. The notification shall show the amount of the payment and the reason for change in the payment, or the reason for discontinuance. The payee shall also be notified of his right of appeal to the SDSW for a fair hearing and the case record shall show that such notification was sent.

Notification of Action by the Board of Supervisors, Form CA 239, includes the minimum requirements for notification to the payee and shall be used by the county unless a substitute form which incorporates the information appearing on Form CA 239 is used. (See Sec. C-160, Reporting Action of Board of Supervisors to Applicant)

It is not necessary to send Form CA 239 to institutions or boarding homes in every case since such care is usually given on a contractual basis. However, inasmuch as any person caring for, or responsible for the care of, a child may file an appeal with the SDSW, the county should make known to the probation officer or other person who signed the application and to the institution or boarding home caring for children the fact that an appeal may be filed.

(Section Continued on Next Page)

C-560 BOARD OF SUPERVISORS ACTION ON ASSISTANCE PAYMENTS

C-560

In granting the application, the board of supervisors shall specify the amount and beginning date of the initial assistance payment. (See Sec. C-155, Board of Supervisors Action on Applications)

The board of supervisors shall also take action on recommendations made by the county for all Notices of Change, Forms CA 232, except those which report school status and change of payee.

If a change in the assistance payment is granted on an appeal to the SDSW, the board of supervisors shall approve the change in accordance with the decision of the SSWB.

If assistance is discontinued erroneously, the board of supervisors shall rescind the discontinuance providing such action is taken within one year of the date of the action which is being rescinded.

If assistance is discontinued because a child is confined in a detention home or other public institution or has been temporarily placed in a free home, the board of supervisors in its action discontinuing assistance may provide that assistance be restored when the child ceases to be an inmate of the institution without further action by the board of supervisors.

A Notice of Change, Form CA 232, shall be sent to the county auditor. (W&IC 1550, 1560)

C-563 REPORTING ACTION ON ASSISTANCE PAYMENTS TO SDSW

C-563

The Notice of Change, Form CA 232, shall be used by the county to inform the SDSW of an increase, decrease, discontinuance, restoration, change of payee, or change in school status and shall be forwarded to the SDSW as soon as possible but not later than 15 days after board of supervisors action, if such action is required. The SDSW considers claims on the basis of information at hand at the time claims are audited and approved for payment. Delay in submission of Form CA 232 may result in loss of federal and state participation.

A separate Form CA 232 shall be used for each case. The following chart shows the number of copies to be submitted. (W&IC 1560)

(Section Continued on Next Page)

C-566 (Continued)

FORM CA 239-A

C-566

NOTIFICATION OF SUSPENDED (WITHHELD) AID PAYMENTS
Aid to Needy Children

County _____

To: _____ Date _____

County Number _____

State Number _____

RE: _____ District _____

Name Children _____

The Aid to Needy Children warrant for the month of _____ has been suspended (withheld) pending completion of investigation of the children's eligibility to receive it. This action was necessary because:

Every effort is being made to complete the investigation promptly, and if the children are found eligible to receive the warrant it will be sent to you. Otherwise the aid can not be paid.

If you do not understand this notice, or are dissatisfied with the action taken, contact the County Welfare Department located at _____ for discussion of any questions involved.

COUNTY WELFARE DEPARTMENT

By _____

Any applicant or recipient who is dissatisfied with the action taken upon his application, or with respect to the amount of aid granted may appeal to the State Department of Social Welfare, 616 K Street, Sacramento, California. (Welfare and Institutions Code, Section 1551.)

An appeal to, or a request for a hearing before the Social Welfare Board shall be made within one year after the date of the action with which the applicant or recipient is dissatisfied. (Welfare and Institutions Code, Section 104.5.)

IMPORTANT: Information for all recipients of Aid to Needy Children:

Should circumstances make it necessary for you to move, it is your responsibility to make proper arrangements with your County Welfare Department before you move, either out of the county or to a new address within the county. Otherwise, there may be an unavoidable delay or interruption in the receipt of aid.

In accordance with your statement, formally sworn to at the time you signed the application, you are urged to discuss promptly with your County Welfare Department any changes in circumstances or financial condition. This will include reporting marriage of parent or a child as well as discussion of purchase or sale of real or personal property and any changes in income from property, earnings, or any other source.

C-566 (Continued)

C-566

If delivery of a warrant for any month is withheld, for reason other than death, beyond the usual delivery date for assistance payments, the payee shall receive immediate notification of the reason for which the warrant was withheld. The notification shall be mailed to the last known address of a payee and the case record shall show that such notification was sent. Notification of Suspended (Withheld) Aid Payments, Form CA 239A, includes the minimum requirements for notification that a warrant has been suspended or withheld. It shall be used by the county unless a substitute form which incorporates the information appearing on Form CA 239A is used. (W&IC 1560; FSS-Admin.)

(Section Continued on Next Page)

C-569 (Continued)

C-569

Section I

Complete Section I for increase, decrease, restoration, change of payee, or discontinuance. (Reason for discontinuance is reported in Section II.)

Column 1. Record the first name of each child receiving ANC under the state case number shown under identifying information.

Column 2. Record the effective date of the increase, decrease, restoration, change of payee, or discontinuance. If retroactive assistance is paid, the month for which the retroactive payment was made shall be entered in this column.

Column 3. Record the nature of the change; i.e., increase, decrease, restoration, change of payee, or discontinuance opposite the name of each child affected by the change. If not all children are affected by the change, enter "No Change" opposite the name of each child for whom no change is being made.

Column 4. a. In cases in which the assistance payment is determined by the budget method, record the total amount of the assistance payment to the family group.

b. In cases in which the assistance payment is determined on an individual child basis (for children receiving foster care, that is, living with relatives, in family boarding homes, or in institutions), record the total assistance payment for each child opposite the name of the child.

c. If the change is effective subsequent to the first day of the month, record the monthly rate of payment rather than the pro-rated amount actually paid for that month.

d. If retroactive assistance is paid, record the monthly assistance payment effective from the date shown in Column 2.

Column 5. This column shall be completed for each child listed in Column 1.

Check "Yes" if:

1. The child is under 16 and is living with an eligible payee.
2. The child is 16 or over and is living with an eligible payee and is enrolled in school. (See Secs. C-429, Definition of Eligible Payee for Federal Participation, and C-435, Definition of Regular School Attendance for Federal Participation)

(Section Continued on Next Page)

C-569 INSTRUCTIONS FOR COMPLETING THE NOTICE OF CHANGE

C-569

A. GENERAL INSTRUCTIONS, NOTICE OF CHANGE

The Notice of Change, Form CA 232, except as it provides for identifying information, is divided into sections, which are designated as Sections I, II, III, IV, V, and VI.

Section I is to report information regarding:

1. Type of change. This includes decrease, increase, restoration, change of payee, or discontinuance, but excludes change of school status of a child 16 to 18 who is otherwise eligible for federal participation. (See Section IV)
2. Reason for change. See instructions for reporting reason for change below.

The reason for discontinuance of assistance is not reported here but shall be shown in Section II.

Section II is used to report information on discontinuances.

Section III is used to report material changes in economic circumstances of discontinued cases. It is to be completed for all discontinued cases except those discontinued because of death.

Section IV is used to report a change of school status of a child 16 to 18 who is otherwise eligible for federal participation.

Section V is no longer applicable and need not be completed.

Section VI is used to report action of the board of supervisors.

B. IDENTIFYING INFORMATION AND SECTION I OF NOTICE OF CHANGE

Under identifying information at the top of the Notice of Change, Form CA 232, record the name of the county, the state and county case numbers, the date the form is prepared, and the family name.

Payee from Date of Change: Record the name of the person to whom warrants will be drawn for the care of the child on and after the effective date of this change. If there is more than one payee for children receiving ANC under the same state case number, record the name of each payee followed by the number in Column 1 which corresponds to the child's name.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Restoration: In reporting restoration, give the reason the child became eligible subsequent to the discontinuance.

Change of payee: Record the date of the change of placement.

Suspension of Assistance: If assistance continues under the suspension procedure but payments for one or more months are canceled (See Sec. C-536, Suspension of Payment), record the month or months for which the suspended payments were canceled and the reason for such cancellation. It is not necessary to fill in any information under Columns 1, 2, 3, 4, or 5 under Sec. I of Form CA 232. In this instance, if warrants are canceled under the suspension procedure, it is not necessary for the board of supervisors to discontinue assistance and subsequently restore assistance since the authorization has been continuously in effect and, therefore, assistance is not discontinued by a canceled payment.

C. DISCONTINUANCE OF AID, SECTION II OF NOTICE OF CHANGE

If assistance is discontinued for more than one child and the dates required under Items A, B, and C of Section II differ for the children, complete Items A, B, and C for one child and indicate to which child the dates apply. For the other child or children, record under remarks, the dates required under Items A, B, and C, properly identified, and indicate to which child the dates apply.

Item A. Date Ineligibility Occurred. Record here the date on which ineligibility occurred; i.e., the date on which eligibility ceased for any one of the reasons enumerated below. If ineligibility is due to earnings, the date of ineligibility is not necessarily the date employment began, but rather the date the earnings actually received plus other income fully meet the family's needs.

Item B. Date of Discovery. Record the date on which the facts causing discontinuance came to the attention of the county.

Item C. Date Ineligibility Verified. Record the date on which ineligibility was determined by the county.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Check "No" if:

1. The child is living with a payee who is a non-relative.
2. The child is living with a payee of a degree of relationship other than those listed in Sec. C-423.
3. The child is living in a boarding home or institution.
4. The child is 16 or over and not enrolled in school.

One Form CA 232 may be used to report more than one action of the board of supervisors on the same case provided all actions of the board of supervisors take place on the same day.

Example 1: On March 28, the board of supervisors acts to discontinue ANC effective February 28 for a child who died February 11, and to discontinue ANC effective March 31 for another child who became 18 on March 24. On the same date, the board of supervisors acts to decrease ANC effective April 1 for two remaining children.

If one Form CA 232 is used to report more than one action, Columns 1 through 5 shall be completed separately for each action.

Example 2:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5 <u>Yes</u>
John	2-28-47	Disc. No change	(Enter assistance payment after discontinuance for John)	X
Gale		" "		X
Joe		" "		X
Ann				
Gale	3-31-47	Disc. No change	(Enter assistance payment after discontinuance for Gale)	X
Joe		" "		X
Ann				
Joe	4-1-47	Decrease	(Enter assistance payment effective April 1)	X
Ann		"		

Reason for change. This section is used to report the reason for the change, except discontinuance which is reported under Section II.

Increase: Record the reason for the increased assistance payment.

Decrease: Record the reason for the decreased assistance payment. If the decrease is due to income or increased income, record the source of such income.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Item E-5. Contributions from Others. Check if the child now receives adequate contributions from persons other than those listed above.

Item E-6. Income from Other Sources. Check if the child now receives adequate income from sources other than those listed in E-1 through E-5. Specify briefly the source of income; e.g., life insurance benefits, military benefits, receipt of Old Age and Survivors Insurance, income from real property, income from investments.

Item E-7. Subsequent Information Disproves Eligibility Originally Established. Check if ANC is discontinued because subsequent information indicated that the child was not eligible for the original assistance payment. Indicate under remarks the specific grounds for ineligibility; e.g., property, residence, deprivation of parental support or care, etc. Explain briefly how and when ineligibility was discovered.

Item E-8. Change in Law or Policy. Check if a change in legal or administrative policy automatically makes the child ineligible at the time of the change although previously the child was eligible. Specify briefly the nature of the change.

Item E-9. Child Reaches Eighteenth Birthday. Check if assistance is discontinued because the child reached his eighteenth birthday.

Item E-10. Father no Longer Incapacitated for Gainful Work. Check if the child became ineligible because the incapacitated father is no longer incapacitated for regular full time employment. Do not check this item if the child is receiving adequate support from the father; in such instances check Item E-1.

Item E-11. Parent Discharged from Institution. Check if the discharge of a parent from an institution makes the child ineligible. Do not check this item if the child is receiving adequate support from the parent; in such instances check Item E-1, E-2, or E-6.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Item D. Classification. Check the symbol designating the reason for deprivation of parental support or care under which assistance was being granted at the time of discontinuance. If assistance is discontinued for more than one child granted assistance under different reasons for deprivation, complete Item D for one child and indicate to which child it applies. Record the reason for deprivation of parental support or care for the other children under remarks and indicate to which child each reason applies.

Item E. Reason for Discontinuance of Aid. Check the applicable reason for discontinuance which appears first on the list. For example, if discontinuance is due to increased support from several sources, check the reason which appears first on the list. Likewise, if the assistance of several children of one family is discontinued for reasons which differ for the various children, check the reason appearing first on the list.

Item E-1. Earnings of Father. Check if the child now receives adequate support from the employment or increased earnings (including earnings from self-employment) of the father.

Item E-2. Earnings of Mother. Check if the child now receives adequate support from the employment or increased earnings (including earnings from self-employment) of the mother.

Item E-3. Earnings of Dependent Child. Check if the child now receives adequate support from the employment or increased earnings (including earnings from self-employment) of one or more of the children who have been receiving ANC. Use this item for discontinuance of assistance because a child was placed in a foster home for work or wage, or because a child entered the armed services.

Item E-4. Support by Stepfather. Check if the child now receives adequate support from stepfather.

(Section Continued on Next Page)

C-569 (Continued)

C-569

D. MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES OF DISCONTINUED CASES (EXCLUDE DEATH), SECTION III OF NOTICE OF CHANGE

Section III is to be completed for all discontinued cases except those discontinued because of death. If two or more items in Section III apply in a given case, check the item appearing first on the list. If there has been no material change in the family's economic circumstances, check Item 10, "No known material change in economic circumstances."

This section is designed to provide information on the number of cases in which there was an increase in the income of the family that would wholly or partly offset the effect of discontinuing assistance. The changes in economic circumstances reported in Section III may or may not be the cause of the discontinuance reported in Section II. For example, assistance might be discontinued because the father's earnings have made the family ineligible. In this case Item E-1 would be checked in Section II, and Item 1 would be checked in Section III. On the other hand, if a family became ineligible because of a contribution from a son not receiving assistance and simultaneously the father had an increase in earnings not sufficient in itself to make the family ineligible, Item E-5 would be checked in Section II, and Item 1 would be checked in Section III since it appears first in the list.

Unless some preceding item is applicable, cases in which need for assistance has been decreased by the receipt of Old Age and Survivors Insurance, Workmen's Compensation, and Unemployment Insurance is to be reported in Item 7 or Item 8 of this section.

Items 1 - 4. Employment or Increased Earnings. Check the appropriate item for cases in which the child's need for assistance has decreased as the result of employment or increased earnings (including earnings from self-employment). The increase in earnings may result from higher wages or fuller employment.

Do not include cases in which the family's need for assistance has decreased because of support from earnings or other resources of other persons in the home, if such earnings or resources have not increased. Report such cases under Item 9.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Item E-12. Absent Father Returned. Check if the absent parent's return to the home renders the child ineligible. Do not check this item if the child is receiving adequate support from the father; in such instances check E-1 or E-6.

Item E-13. Refusal After Acceptance to Comply with Established Regulations. Check if assistance is discontinued because of refusal to comply with established regulations; e.g., refusal to supply information, etc.

Item E-14. Excess Assets Acquired Subsequent to Approval. Check if assistance is discontinued because the child or parents have come into possession of real property, cash, or securities in excess of that permitted under the ANC law. (See Sec. C-327, Definition of Personal Property, for distinction between personal property and income)

Item E-15. Child in County Hospital. Check if assistance is discontinued either (1) because the child was admitted to a county hospital or (2) because the child has been in a county hospital for more than two months. Enter the date of admission and, for cases eligible for Federal participation, check the appropriate sub-item indicating the determination of probable period of hospitalization from the date of admission to the hospital. (See Secs. C-441, Children in Institutions - Requirements, and C-444, Children in Institutions - Definition)

Item E-16. Child Admitted to Other Public Institution. Check if assistance is discontinued because child was admitted to a public institution other than a county hospital, such as a state hospital, detention home, or Indian school. Enter the name of the institution in the space provided.

Item E-17. Loss of State Residence. Check if ineligibility occurs because of removal from the state with loss of state residence.

Item E-18. Transferred to ----- County. Check this item if assistance is discontinued because of a transfer to another county under the provisions of W&IC 1527. Enter the name of the county to which transferred. (See Sec. C-412, Procedure for Inter-County Transfers)

Item E-19. Other Reason. Check if assistance is discontinued for some reason other than those listed in Items E-1 through E-18. Under remarks, explain the reason or circumstances; such as death, marriage of dependent child if supported by spouse, etc.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Item 7. Increased Support from Person Outside Home. Check for cases in which the child's need for assistance has decreased by reason of increased support from persons not living in the home, except as reported in Items 1 and 2. This item includes support from relatives who have not previously contributed; it includes not only support from relatives whose ability to contribute has increased, but also those who without any change in circumstances have assumed more responsibility for support. Include cases in which need has decreased because of free care in a foster-family home.

Item 8. Increase in Other Resources of Person in Home. Check for cases in which the child's need for assistance has decreased because of resources of any person in the home other than those specified in items above. Life insurance benefits (other than military insurance), the inheritance of property or money, the receipt of Old Age and Survivors Insurance, the sale of property, and increased income from investments of real or personal property, are examples of resources to be included here.

Do not include the following:

- a. Resources if the resources were available when assistance was approved, and assistance would not have been granted had the resources been known to exist; such cases should be reported in Item 10, "No known material change in economic circumstances."
- b. Cases in which the value of real or personal property has increased beyond the legal maximum, but need is not materially reduced by the income; such cases should be reported in Item 10, "No known material change in economic circumstances."

Item 9. Other Material Change in Economic Circumstances. Check for cases in which the child's need for assistance has decreased for reasons other than those specified in items above. Examples of cases to be included here are:

- a. Cases in which need has decreased with no increase in resources.
- b. Cases in which need has decreased because of marriage of a dependent child.
- c. Cases in which the family's need for assistance has decreased because of support from earnings or other resources of other persons in the home, if such earnings or other resources have not increased.

(Section Continued on Next Page)

C-569 (Continued)

C-569

Item 1. Father or Person Acting in His Place. Check for cases in which the child's need for assistance has decreased because of the employment or increased earnings of the father or the person acting in his place. For the purpose of this report, the person acting in the father's place is defined as the person who has been carrying parental responsibility. Such person, therefore, is not necessarily the payee.

Item 2. Mother or Person Acting in Her Place. Check for cases in which the child's need for assistance has decreased because of the employment or increased earnings of the mother or the person acting in her place. For the purpose of this report, the person acting in the mother's place is defined as the person who has been carrying parental responsibility. Such person, therefore, is not necessarily the payee.

Item 3. Dependent Child. Check for cases in which the child's need for assistance has decreased because of the employment or increased earnings of a child who has been receiving assistance. Include children placed in foster family homes for work or wage and children who enlist in the armed services.

Item 4. Other Person in Home. Check for cases in which the child's need for assistance has decreased because of the employment or increased earnings of any person in the home other than those specified above.

Item 5. Support by Remarriage of Parent. Check for cases in which the child's need for assistance has decreased because of the remarriage of his parent or the person acting in the parent's place, including the marriage of an unmarried mother.

Item 6. Allowance, Pension, or Other Payment Connected with Military Service Received by Person in Home. Check for cases in which the child's need for assistance has decreased through the receipt, by any person in the home, of an allowance, pension, or other payment connected with military service, which is given on the basis of service or disability. Include here allowances, death gratuities, military insurance, and disability benefits, not only to persons in the armed forces and their dependents, but also to civilian employees and their dependents, as provided for in veterans legislation; pensions to widows and orphans of veterans of World War I; and payments under the Servicemen's Readjustment Act of 1944 (commonly known as the GI Bill).

(Section Continued on Next Page)

C-569 (Continued)

FORM CA 232

C-569

STATE OF CALIFORNIA

Notice of Change—Aid to Needy Children

DEPARTMENT OF SOCIAL WELFARE

Submit two copies to State Department of Social Welfare for discontinuances, restorations, and changes of payee; one copy for other changes. **SUBMIT ONE COPY OF ALL CHANGES TO COUNTY AUDITOR.**

County _____ County No. _____ State No. _____
Date _____
Family Name _____

SEC. I.

(1) NAMES OF CHILDREN	(2) EFFECTIVE DATE OF CHANGE	(3) NATURE OF CHANGE Increase, Decrease, Restoration, Change of Payee, or Discontinuance	(4) TOTAL AMOUNT CHILDREN'S AID PER MONTH GRANTED FROM DATE OF CHANGE	(5) ELIGIBLE FEDERAL PARTICIPATION Yes _____ No _____
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

REASON FOR CHANGE: (Except Discontinuance) In reporting decrease—Give source of income

SEC. II. Discontinuance of Aid

A. Date ineligibility occurred _____ B. Date of discovery _____ C. Date ineligibility verified _____
D. Classification: WO HO AF ILLEG. PCI CIF TBF ABD. FDLG.

E. Reason for discontinuance of aid

(Check applicable reason appearing first on list)

Now receiving adequate care due to:

- 1. Earnings of father
- 2. Earnings of mother
- 3. Earnings of dependent child
- 4. Support by stepfather
- 5. Contributions from others
- 6. Income from other sources (specify) _____
- 7. Subsequent information disproves eligibility originally established
- 8. Change in law or policy (specify) _____
- 9. Child reached eighteenth birthday
- 10. Father no longer incapacitated for gainful work
- 11. Parent discharged from institution

- 12. Absent father returned
- 13. Refusal after acceptance to comply with established regulations (specify) _____
- 14. Excess assets acquired subsequent to approval
- 15. Child in county hospital. Date of admission _____
Check the following for cases eligible for Federal participation:
Determination of probable hospitalization period:
 Two months or less from date of admission
 More than two months from date of admission
- 16. Child admitted to other public institution

Name of Institution
 17. Loss of State residence
 18. Transferred to _____ County
 19. Other reason (specify fully under "remarks") _____

REMARKS:

SHOULD REPAYMENT OF AID BE DUE, STATE REASON, AND POSSIBILITY OF OR PLAN FOR ITS COLLECTION IN SPACE ABOVE

SEC. III. Material change in economic circumstances of discontinued cases (exclude death)

(Check applicable item appearing first on list)

Employment or increased earnings of:

- 1. Father or person acting in his place
- 2. Mother or person acting in her place
- 3. Dependent child
- 4. Other person in home
- 5. Support by remarriage of parent
- 6. Allowance, pension, or other payment connected with military service, received by person in home

- 7. Increased support from person outside home (other than that reported in Items 1 and 2)
- 8. Increase in other resources of person in home
- 9. Other material change in economic circumstances (including decreased need without change in resources)
- 10. No known material change in economic circumstances

SEC. IV. Complete this section for change of school status children, 16-18, otherwise eligible for Federal participation

Name of Child _____ Date of Enrollment—OR—Date of Termination _____ Date of Verification _____

[SIGNED]

Signature of County Public Assistance Worker

SEC. V. A. Child is in home eligible for Federal participation

I herewith make application for Aid to Needy Children for the above named children who will be maintained by me in my home.

[SIGNED]

Signature of Payee and Relationship

Address Where Children Will Be Maintained

B. Child is in home ineligible for Federal participation

I HEREBY CERTIFY That the signature of a new payee is contained in the county files.

[SIGNED]

Signature of County Official or Other Person Responsible for Placement of Children

SEC. VI. Approved by the Board of Supervisors of the County of _____ this _____ day of _____ 19_____

RESERVE FOR STATE

[SIGNED]

County Clerk or Deputy

Reviewer _____ Date _____
Audit Clerk _____ Date _____

FORM CA 232 (revised)—September, 1946

C-569 (Continued)

C-569

Item 10. No Known Material Change in Economic Circumstances. Check for cases in which there is no known change in economic circumstances of cases discontinued.

E. CHANGE OF SCHOOL STATUS, SECTION IV OF NOTICE OF CHANGE

A change of school status for children between 16 and 18 who are otherwise eligible for federal participation shall be recorded in Section IV of the Notice of Change, Form CA 232, as follows:

Record the name of the child, the date of enrollment or date of termination, and the date of determination. This section shall be signed by the county public assistance worker reporting the change of school status.

If change of school status is the only change to be reported on the Notice of Change, the identifying information at the top of the form and Section IV shall be completed to show data regarding school status. Sections I, II, III, and V shall be left blank. Section VI may be completed if there is action by the board of supervisors.

(See Sec. C-435, Definition of Regular School Attendance for Federal Participation)

F. CHANGE OF PAYEE, SECTION V OF NOTICE OF CHANGE

Section V is to be left blank.

G. APPROVED BY THE BOARD OF SUPERVISORS, SECTION VI OF THE NOTICE OF CHANGE

Record the name of county and date of action by the board of supervisors. The Notice of Change, Form CA 232, shall bear either the original or facsimile signature of the county clerk or deputy. A facsimile signature shall be affixed either by or under the special authority of the county officer whose signature is thus affixed. (W&RC 1560, FSS-Admin.)

(Section Continued on Next Page)

C-572 (Continued)

C-572

Mistake of Fact occurs if a person has no knowledge (because of unconscious ignorance) of certain facts which affect his eligibility and, therefore, withholds these facts, which withholding results in the receipt of assistance, or a larger amount of assistance, to which he is not legally entitled; or if the administering agency to which the material facts have been reported erroneously disregards or misinterprets these facts, which results in the payment of assistance, or a larger amount of assistance, to which the person is not legally entitled.

B. OVERPAYMENTS DUE TO INCOME OR CHANGE IN NEED

If an overpayment caused by increase in income or decrease in need is discovered too late to effect a complete adjustment within the current adjustment period either by a decrease in assistance or discontinuance of assistance, the right to request repayment of assistance exists only in those cases in which actual or constructive fraud was committed and only in the amount of the unadjusted balance of the overpayment. If the overpayment was the result of mistake of fact, no right to request repayment of assistance exists. (See Sec. C-533, Item D, for procedure for determining the amount of overpayment.)

C. OVERPAYMENTS DUE TO EXCESS REAL OR PERSONAL PROPERTY

If assistance is paid on behalf of a child who is not entitled to assistance because the child or his parents or the child and his parents possessed excess real or personal property and the person (legally) responsible for the child committed actual fraud, the right exists to request repayment of all assistance illegally received.

If constructive fraud was committed, or if mistake of fact occurred, the right exists to request repayment of assistance only to the extent of the largest amount by which the real or personal property exceeded the maximum amount allowable during the period of ineligibility.

In no event shall repayment be in an amount greater than the amount of assistance received during the period of ineligibility due to possession of excess real or personal property.

D. OVERPAYMENTS DUE TO REASONS OTHER THAN INCOME, CHANGE IN NEED, OR EXCESS PROPERTY

If overpayment was due to any reason other than the possession of excess property or change in income or need, the right to request repayment of assistance exists only in those situations in which actual fraud or constructive fraud was committed. If the overpayment occurred as a result of mistake of fact, no right to request repayment of assistance exists.

(Section Continued on Next Page)

C-572 REPAYMENT PROCEDURES

C-572

(For more complete statement, see Financial Procedures sections)

A. REQUIREMENTS

Whenever it appears that an overpayment of assistance has been made, the county shall determine:

1. Whether overpayment of assistance has been made
2. The amount of overpayment
3. The period of the overpayment
4. The reason for the overpayment
5. Whether actual fraud or constructive fraud was committed or mistake of fact occurred
6. Whether the right to request repayment exists

These determinations and the bases for the determinations shall be recorded in the narrative.

For purposes of determining the right to request repayment of assistance, the following terms are defined.

Actual fraud occurs if a person has knowledge of certain facts, knows that these facts affect his eligibility, and withholds or misrepresents these facts with the intention of obtaining assistance, or a larger amount of assistance, to which he is not legally entitled.

Constructive fraud occurs if a person has knowledge of certain facts but does not know that these facts affect his eligibility and, therefore, without fraudulent intent, withholds these facts, which withholding results in the receipt of assistance, or a larger amount of assistance, to which he is not legally entitled.

(Section Continued on Next Page)

C-572 (Continued)

C-572

Regardless of the type of records maintained (i.e., accounts receivable, part of case record, or a separate record), all required information shall be readily available for case review and audit by the SDSW.

G. VOLUNTARY REPAYMENT OF ASSISTANCE

A person may make a voluntary repayment of assistance legally paid, either partial or total. If the person wishes, he may allocate such a voluntary partial repayment to a specific period.

H. REPORTING OF REPAYMENTS

All repayments of assistance received by the county shall be reported to the SDSW on County Aid Claim Forms. (See Financial Procedures)

I. ERRONEOUS REPAYMENTS

An erroneous repayment of assistance is a repayment to the county which has been made upon the assumption that the child was not entitled to the assistance payment, and it is later found that the child was entitled to the assistance for which repayment was made.

An individual who believes that he has repaid assistance in error may request the return of such erroneous repayment. The county shall advise any person who made a repayment of assistance that he has a right to request reimbursement if the repayment is later determined to have been an erroneous repayment.

The request for reimbursement of an erroneous repayment may be made at any time to the county welfare department but shall be made in writing. The written request constitutes a claim upon the county for the return of the money erroneously repaid. The claimant need not file his request with the county auditor or county clerk since Political Code Sec. 4075 is deemed to have no bearing on claims of this nature. The county shall assist individuals who wish to file a request for the return of erroneous repayments of assistance.

(Section Continued on Next Page)

C-572 (Continued)

C-572

E. DEMAND FOR REPAYMENT

Whenever the county has determined that the right exists to request repayment of assistance, the county shall make a demand for repayment. If the person responsible for the child declares himself unable to make the payment, the county shall determine his ability to make the payment and record the findings in the narrative. The person responsible for the child is obligated to make such repayment from assets he may have other than the current assistance payment and his income required to meet the current need unless adjustment or repayment is made during the current adjustment period. If the person responsible for the child does not make repayment, all actions necessary to secure restitution may be brought against him.

Repayment of assistance or the execution of an agreement to repay the county for assistance to which the child or family was not entitled shall not be a condition for restoration or continuance of assistance for which there is current eligibility.

F. COUNTY RECORDS OF REPAYMENTS REQUESTED

Whenever it has been determined that the right exists to request repayment of overpayments of assistance that have not been adjusted during the current adjustment period, the county shall maintain records containing the following minimum information:

1. Case name and state number.
2. Name of the person responsible for the child.
3. Period of, and reason for, overpayment.
4. Whether actual or constructive fraud was committed or mistake of fact occurred.
5. Total amount of repayment due.
6. Chronological posting of whole or partial repayments received.
7. Posting of efforts made to secure repayment, follow-ups, redeterminations of available resources, etc.
8. Any change in determination of amount subject to repayment, together with the reason for such change.

(Section Continued on Next Page)

C-572 (Continued)

C-572

Claims for the return of erroneous repayments shall be approved by the board of supervisors if it is found that the repayment of assistance was received erroneously because of mistake of law or fact. In making findings with respect to erroneous repayments of assistance, the county shall carefully determine whether, during the period to which the repayment was applicable, there existed other factors of complete or partial ineligibility in addition to the one on which the repayment of assistance was predicated. If such factors existed, it may be determined that no return, or a return in a smaller amount, is in order.

If the county wishes to have the SDSW make an independent finding in addition to the county's finding, request for such finding shall be made in writing to the SDSW at Sacramento; the request shall be accompanied by a statement showing the claimant's contention, the amounts and periods involved, and the basis upon which the repayment was received by the county.

If the county or SDSW certifies that an erroneous repayment was made, the federal, state, and county shares of the erroneous repayment shall be returned.

Persons whose claim for the return of an erroneous repayment of assistance has been rejected by the board of supervisors shall be informed in writing of their right to appeal to the SDSW for a fair hearing.

If a repayment of assistance has not yet been reported to the SDSW, the return of the erroneous repayment need not be reported to the SDSW, but all pertinent facts surrounding the return shall be incorporated in the case record.

If return of an erroneous repayment is made on a repayment that has been reported to the SDSW, the return shall also be reported to the SDSW (see *Financial Procedures*).

A voluntary repayment of assistance, made upon the initiative of the payer without request or suggestion on the part of the county constitutes a gift and shall not be deemed to have been erroneous. (W&IC 1560, AGO NS4473)

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GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR

Sacramento 14

June 2, 1950

IN REPLY PLEASE REFER
TO:

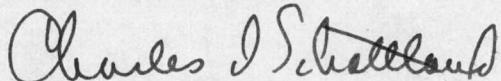
Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the Manual of Policies and Procedures - Aid to Needy Children.

The regulations contained in this Manual were adopted by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, and 1560 on March 23, 1950, to be effective May 1, 1950.

Very sincerely yours,



Charles I. Schottland
Director

468:b5
Attachments

FILED

In the Office of the Secretary of State
of the State of California

JUN 5 1950

At 8 o'clock A M.

FRANK M. JORDAN, Secretary of State

By John G. Sargent Deputy

Certified as a Regulation (or
Regulations) of the

State Dept. of Social Welfare
(Name of State Agency)

Charles I. Schattland

(Signature)

Director
(Title)

6-2-50
(Date)

MANUAL UNIT - SECTY OF STATE
STATE OF CALIFORNIA
3 CA DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
May 26, 1950

AID TO NEEDY CHILDREN MANUAL LETTER NO. 1

Attached is a copy of the Manual of Policies and Procedures - Aid to Needy Children which was adopted by the State Social Welfare Board on March 23, 1950, to be effective on May 1, 1950.

This manual supersedes the following portions of the Manual of Policies and Procedures insofar as they pertain to Aid to Needy Children:

Chapter 101 - General Provisions
Chapter 105 - Age
Chapter 120 - Residence
Chapter 130 - Real Property
Chapter 140 - Personal Property
Chapter 150 - Income
Chapter 155 - Amount of Grant
Chapter 160 - Institutional Inmates
Chapter 170 - Relatives
Chapter 190 - Classification
Chapter 200 - Applications
Chapter 230 - Investigation and Decision
Chapter 350 - Continuing Services

FILED
In the Office of the Secretary of State
of the State of California

JUN 5 1950

At 8 a.m.
FRANK M. JORDAN, Secretary of State
By *John M. Saylor*
Deputy

Regulations applicable in Aid to Needy Children with respect to welfare personnel standards, social data reports, fair hearings, and statistical and financial procedures are contained in the following chapters of the present integrated Manual of Policies and Procedures:

Chapter 070 - Welfare Personnel Standards
Chapter 285 - Social Data Record
Chapter 325 - Fair Hearing
Chapter 500 - Statistical Procedures
Chapter 600 - Financial Procedures

The following department bulletins are now obsolete:

349	379
366	386
373	387
373B Rev.	401
376	

The following department bulletins pertaining to Aid to Needy Children are current:

341B
384
406

In accordance with regulations adopted by the State Social Welfare Board on April 30, 1943, one copy of the manual is to be kept current in the office of each county welfare department for the use of the general public. It shall be labeled "For Public Use."

Substitute the attached page for the corresponding page
in this Manual. As you will note, the format of the
paragraph following Example 5 (Section C-524) has been
revised to indicate that it is part of the general text
rather than of the example.

C-524 (Continued)

C-524

The county is responsible for discussing and suggesting available resources and services within the agency or elsewhere in the community which might be useful to the family. However, the acceptance or rejection of the county's suggestions is at the discretion of the individual. The county shall not imply that the individual must accept these offers of services or suggestions regarding the conduct of his own affairs in order to establish or maintain eligibility for assistance.

The money payment assures the same right to every child whether living with his own family or receiving foster care.

The county may do for the family or child whatever it is authorized to do, if the payee wishes it done and if the county does not assume control of the payee's actions. The county, the payee, and the community must keep in mind continually that the money is the family's or the child's on whose behalf the payment is made. On the basis of this principle, it is possible to distinguish when a given practice becomes restrictive.

Example 1: Determining the amount of need as a basis for the assistance payment by the use of receipts or bills is not a restrictive practice. However, requiring the payee to present receipts for the purpose of showing how he spent all or part of the assistance payment would constitute a restrictive practice.

Example 2: Counseling with a 17-year-old boy about getting a part-time job, including helping him to think through what kind of work he might like to do, and can do, and assisting him by making referral to the employment service or an employer, is not a restrictive practice, provided there is no implied or actual threat that failure to follow the county's suggestions will affect the amount or receipt of assistance, and the boy is free to make his own decisions and to take or reject the county's advice.

Example 3: Explaining to the payee the basis on which the amount of the assistance payment is determined is a proper county function. However, instructions directing that all or part of the assistance payment must be applied to specific bills or for the purchase of specific goods or services would be a restrictive practice.

Example 4: Informing the payee of community resources, referring him to other agencies, and advising regarding the use of community resources are proper county functions. These services can be rendered in such a way that the payee has freedom of choice and decision as to the use of this information and advice.

Example 5: Giving advice about problems affecting the child is a proper function of the county if the payee desires such advice. However, if the payee does not desire this type of service and is unwilling to follow the county's advice, it is not the proper function of the county to assume an authoritative role and to require, either by actual or implied threat of withholding assistance, that the payee follow the county's instructions. Such a requirement or threat is a restrictive practice.

If authoritative action is found essential to protect the welfare of the child or members of his family, the situation should be referred to the appropriate protective or enforcement agency. Assistance shall continue as long as eligibility requirements are met.

(Section Continued on Next Page)

C-521 (Continued)

C-521

Any warrant issued in payment of assistance shall be void if not presented for payment within six months after date of issuance, and a new warrant for assistance in lieu of that void warrant shall not be issued.

If a warrant is lost or destroyed before it is paid by the county treasurer, the amount due may be recovered by the payee by filing with the auditor, prior to the time the warrant becomes void, an affidavit setting forth the fact of the loss or destruction of the warrant, the number, date, amount, name of the payee, and facts relative to its loss or destruction.

A warrant shall be considered lost if it has been mailed and has not been received by the addressee within twenty days after the date of mailing.

If a warrant has been canceled in error by the county auditor, it shall be considered to have been destroyed. (W&IC 1556.5, 1560; FSS-Admin; Government Code 29850, 29853)

C-524 MONEY PAYMENTS AND RESTRICTIVE PAYMENTS

C-524

(For more complete statement, see Financial Procedures sections)

Assistance payments shall be made in conformity with the money payment principle which provides that:

1. Assistance payments shall be made by warrants immediately redeemable at par.
2. Payments shall be made to the payee at regular intervals.
3. Use of the payment shall not be restricted, either directly or by implication.

The family shall have full use of the warrant and there shall be no state or county control of its expenditure. Assistance payments shall be delivered unconditionally to the payee in the full amount for the sole use and benefit of the family or child for whom the assistance payment is made. The money payment, therefore, assures the right to each family to manage its own affairs; to decide what use of its payment will best serve its interests; and to make its purchases through the normal channels of exchange, enjoying the same rights and discharging responsibilities in the same manner as other members of the community.

Neither federal nor state participation is available in assistance payments which are restricted, or for assistance given in kind.

(Section Continued on Next Page)

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948 MARKET STREET
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Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR
Sacramento 14
June 7, 1950

RECEIVED
SACRAMENTO, CALIF.

1950 JUN 12 PM 12 07
IN REPLY PLEASE REFER

FRANK M. JORDAN
TO:
SECRETARY OF STATE
STATE OF CALIFORNIA

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 419 (OAS)
Subject: Investigation of Liability of
Responsible Relatives in OAS

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, 114b, 2140, 2181, and 2224 on May 25, 1950.

These regulations are to be effective July 15, 1950.

Very sincerely yours,



Charles I. Schottland
Director

Attachments

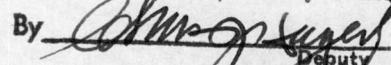
FILED

In the Office of the Secretary of State
of the State of California

JUN 12 1950

At _____ o'clock _____ M.

FRANK M. JORDAN, Secretary of State

By  Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

C. J. S. W. Board

(Signature)

Director

(Title)

6/7/50

(Date)

CHARLES I. SCHOTTLAND
Director

W&IC 103, 103.5, 114 L, 2140,
2181, 2224

EARL WARREN
Governor

FILED

STATE OF CALIFORNIA *in the Office of the Secretary of State
of the State of California*
DEPARTMENT OF SOCIAL WELFARE

616 K STREET

SACRAMENTO 14

June 2, 1950

JUN 12 1950

At 1 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *John J. Hayes* Deputy

DEPARTMENT BULLETIN NO. 419 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Investigation of Liability of
Responsible Relatives in OAS

The procedure contained in this bulletin provides for a preliminary screening of responsible relatives through use of a simplified non-affidavit form of statement. On the basis of information provided by return of this form, the affidavit form shall be sent out to those relatives who appear to be, or might possibly be, liable.

The first sentence of Section 2224 of the Welfare and Institutions Code is interpreted to permit use of the screening statement. The requirement contained in the balance of the section would then pertain only to those relatives tentatively found to be pecuniarily able to contribute.

This bulletin provides for use of the revised relatives' contribution scale, which is effective July 15, 1950, and gives effect to the change in policy regarding investigation of the liability of responsible relatives. It supersedes the scale given in the Manual of Policies and Procedures, Section 171-50, and the procedure in Section 171-70 and Section 234-00, insofar as the section pertains to Old Age Security. Other manual sections regarding responsibility of relatives and the investigation of liability remain in effect.

FORMS

The forms used in this procedure are:

1. Form Ag 226, May 1950, Preliminary Statement of Responsible Relative
2. Form Ag 225, Revised May 1950, Statement of Responsible Relative

As soon as these forms are available an initial supply will be sent to each welfare department.

PROCEDURE

It is the duty of the county to determine whether there is within the State a spouse or adult child pecuniarily able to contribute to the support of the applicant for or recipient of Old Age Security.

.....

A. Preliminary Statement. Form Ag 226 shall be sent to each responsible relative within the State as a means of making a preliminary determination of liability or non-liability. This preliminary statement need not be used in situations in which the county already has information making it clear that a Form Ag 225 must be completed; for example, this will occur when it is known that a contribution is already being made or where there is information that liability exists. The relative shall be allowed 15 days from date of mailing to complete and return the form.

1. If the returned Form Ag 226 clearly indicates non-liability and there is no conflicting evidence known to the county, a determination of non-liability may be made by the welfare department. Referral to the board of supervisors is not necessary.
2. If the returned Form Ag 226 indicates either liability or possible liability, Form Ag 225 shall immediately be sent to the relative.
3. If the Form Ag 226 is not returned within 15 days of the mailing date, there is a presumption of liability, and Form Ag 225 shall immediately be sent to the relative.

B. Sworn Statement. Form Ag 225 is to be sent to relatives only as indicated in Section A, Items 2 and 3, above. As provided in the law, the relative shall be allowed 10 days from date of mailing if living in the county, or 30 days if living outside the county, to complete and return the sworn statement.

1. If Form Ag 225 indicates that the responsible relative contributes or will contribute an amount equal to or greater than his apparent liability, no further inquiry shall be made into the relative's financial circumstances. The county shall recommend to the board of supervisors the amount of his liability under the scale. However, if the county has reason to believe that the relative's statement of financial circumstances is not complete and accurate, the county shall exercise reasonable diligence in investigating further the financial circumstances of the relative.
2. If Form Ag 225 clearly indicates non-liability and there is no conflicting evidence known to the county, a determination of non-liability may be made by the welfare department without referral to the board of supervisors.
3. If Form Ag 225 indicates that the responsible relative contributes or will contribute an amount less than his apparent liability, or if the relative appears liable but is not willing to make a contribution, the county shall notify the responsible relative of the amount he appears able to contribute. The county shall advise the responsible relative that if he believes himself unable to contribute the amount specified, he shall have a reasonable time set by the county and not to exceed 60 days from the date of the notification to present to the county additional information regarding circumstances which he believes should be given consideration. Additional information presented shall be included in the case record.

If the responsible relative submits additional information, the county shall consider the information in determining whether, and for what amount, the relative appears liable. If the relative appears liable, the county shall recommend the amount of the apparent liability to the board of supervisors not later than the first month following the end of the 60-day period after the notification to the responsible relative.

If, after considering the additional facts presented by the relative, it appears that the relative has no liability, the facts supporting this conclusion shall be reported in the case record, and the name of the relative need not be submitted to the board of supervisors for a finding of liability.

4. When Form Ag 225 has not been returned within the 10 or 30-day limit, whichever is appropriate, the county shall make suitable further effort to secure it. Such effort may include:
 - a. A follow-up letter to the responsible relative. When the letter to the responsible relative is returned because of incorrect address, effort should be made to secure the correct address from the applicant or through other available sources.
 - b. Interview with the applicant to determine if he can secure the responsible relative's cooperation in completing Form Ag 225. When interview reveals he cannot secure this cooperation, this information should be recorded in the county case record.
 - c. Interview with the responsible relative if possible.

When the county is unable to secure information concerning the amount of contribution, if any, or regarding the pecuniary ability of the responsible relative to support, the applicant shall be interviewed on the following points:

- a. Amount of contribution now received from the responsible relative.
- b. His knowledge, if any, regarding the financial status of the responsible relative.
- c. Date of applicant's last contact with responsible relative.
- d. Pertinent information concerning family relationships, or attitudes that may prevent county from securing information from responsible relative concerning his pecuniary ability to support.

All efforts made or procedures followed in determining pecuniary ability of responsible relatives or in securing support from responsible relatives shall be recorded in the county case record.

If, as a result of additional effort, a completed Form Ag 225 is secured, action shall follow in accordance with information secured. If, at the end of 30 days after the statutory 10 or 30-day limit, it has not been possible to secure either a Form Ag 225 or information upon which a finding can be based, a report of this fact shall be made to the board of supervisors. The board of supervisors shall refer the matter to the

proper legal officer for appropriate action in accordance with Manual Section 171-70. When the Form Ag 225 is received by the county as result of such action, it shall be reviewed, and the procedure outlined in Section B, Items 1 through 3, of this bulletin, shall govern.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Attachments

OLD AGE SECURITY
PRELIMINARY STATEMENT OF RESPONSIBLE RELATIVE

Date _____

Re: Applicant or Recipient _____

State No. _____ County No. _____

Dear Sir or Madam:

The eligibility of _____ for aid under the Old Age Security Law is under consideration. Under the law children and spouses of persons receiving Old Age Security are required to contribute to the support of such recipients if they are able to do so, according to a scale based on income and number of dependents.

In order to make a preliminary determination we are asking that you complete the following brief statement. If it seems clear from this preliminary statement that you would not be required to make a contribution it may not be necessary for us to contact you further. In the event it appears you might be expected by law to make a contribution, we will take no action until you have had an opportunity to submit additional information including any unusual expenses you may have. In such case we will send you a form which is to be used for this purpose and is to be completed as a sworn statement.

Under the law it is necessary for us to make a decision regarding your ability to contribute. It is important that you fill out and sign the following and send it to this office by return mail.

Thank you for your cooperation.

COUNTY WELFARE DEPARTMENT

BY _____

I, _____, do hereby make the following statement concerning
(Name of Relative)
income, dependents and my contributions to _____
(Name of OAS recipient or applicant)
my _____.

(father, mother, husband, wife)

1. a. I am now contributing: \$ _____, or _____.
(Amount per month) (free room, board, etc.)
- b. I will contribute: \$ _____, or _____.
(Amount per month) (free room, board, etc.)
2. I am Single _____ Married _____ Widowed _____ Divorced _____ Separated _____ (Check one)
3. My total monthly income is as follows: (See explanatory paragraphs below)
 - a. My earnings and other income. . . . _____ per month
 - b. (If married son) My wife's income. _____ per month

Total income _____ per month

MARRIED DAUGHTER. If you are a married daughter and are not separated from your spouse, report only the amount of your separate income, if any. If you have no separate income, complete only items 1 and 2. Indicate "None" in answer to remaining questions. The statement must be signed.

MARRIED SON. Under the Community Property Law of California your income includes the earnings of your wife. Therefore, your wife's earnings must be reported and included in your gross income unless the facts establish her income to be her separate property.

INCOME TO BE REPORTED.

Salary or Wages: Report earnings before withholding tax and social security deductions.

Income from Farm, Business, Rentals, etc. Report full income, deducting only expenses directly involved in securing the income.

Other Income: Include all income from interest, securities, royalties, etc.

4. The number of persons dependent upon my income, including myself but not including the recipient or applicant, is _____.

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT

Signature of Responsible Relative

PRESENT ADDRESS _____, _____
(Street Number or Rural Route) (City or Town)

RETURN COMPLETED FORM

TO _____ COUNTY WELFARE DEPARTMENT _____
(Address)

STATE NO. _____ COUNTY NO. _____

STATEMENT OF RESPONSIBLE RELATIVE OF APPLICANT UNDER OAS LAW
(Statutes of 1943, as amended by Statutes of 1950)

(See Law and Relatives' Contribution Scale on Reverse of this Sheet)

Dear Sir or Madam:

From the information you have given us it appears that you may be able to make a monthly payment toward the support of _____, whose eligibility for aid under the OAS law is under consideration. This form is for your use in making a full statement of your income and expenses. Since we are required to make a decision immediately regarding your ability to contribute, it is to your advantage to submit the completed statement without delay. Return it when completed and signed as a sworn statement to _____,

(County Welfare Department)

(Address)

I, _____, residing at _____, Name of Relative _____, the _____ of the above named applicant do hereby make the following statements concerning Husband, Wife, Son or Daughter my income, dependents and contributions to the above named applicant.

1. I am now contributing \$ _____ Free rent _____ Free board _____
Amount of Yes or no Yes or no

Other contribution to the recipient (explain) _____ Amount and for what _____

2. I am Single _____ Married _____ Widowed _____ Divorced _____ Separated _____ (check one)

3. My total monthly income is as follows:

Married Daughter. If you are a married daughter and are not separated from your spouse report only the amount of your separate income, if any. If you have no separate income, complete only Items 1, 2 and 8. Indicate "None" in answer to remaining questions. The affidavit must be signed and notarized.

Married Son. Under the community property law of California your income includes the earnings of your wife. Therefore your wife's earnings must be reported and included in your gross income unless the facts establish her income to be her separate property.

Income from my earnings \$ _____ per month _____ Name and address of employer _____

Income from wife's earnings \$ _____ per month _____ Name and address of employer _____

Income from other sources (list sources and amount from each source) _____

\$ _____ per month

\$ _____ per month

\$ _____ per month Total Gross Monthly Income \$ _____

4. Expenses necessary to the obtaining of the income reported in Item 3 above are:

Net Income Defined. Net income is that amount which remains after subtracting those expenses necessary to the obtaining of the income. Salary or Wages. Among the necessary expenses may be union dues, if paid, the cost of tools or equipment, including uniforms which must be purchased because of the employment, transportation expenses to and from the job, reasonable cost of meals necessarily purchased away from home due to the employment. Deduction shall not be made for social security taxes, other insurance or retirement deductions (whether voluntary or involuntary), personal income withholding taxes, stock or bond deductions of any kind. Farm or Business. Deduct operating expenses and overhead from gross income. Other Income. Include all other income from interest, securities, royalties, etc.

In no case should living or household expenses for yourself or your dependents be deducted when figuring your net income.

Type of Expense	Amount Per Month
_____	\$ _____
_____	\$ _____
_____	\$ _____
	Total Expenses \$ _____

5. My net monthly income, after deducting my expenses, is (see Items 3 and 4 above). \$ _____

6. The number of persons dependent upon my income including myself but not including the applicant is _____ No. of Persons _____

7. I have unusual expenses which I believe should be given consideration in determining my ability to contribute (such as the cost of necessary service or care due to illness in the family, etc.)

8. I will from _____ contribute \$ _____. Free rent _____ Free board _____
Date Yes or no Yes or no

Other contributions (explain) _____ Amount and for what _____

Signature of responsible relative

Present address _____

Street number or rural route _____

City or Town _____

Subscribed and sworn to before me this _____ day of _____ 19 _____

Name _____ Title _____

Signature of person qualified to acknowledge an affidavit

Under the provisions of state law your oath can be taken in any county welfare department office or by any notary, without charge.

RELATIVES' CONTRIBUTION SCALE

Effective July 15, 1950

A. Net monthly income of responsible relatives in family	B. Number of persons dependent upon income									10 and over
	1	2	3	4	5	6	7	8	9	
200 or under	0	0	0	0	0	0	0	0	0	0
201 - 225	5	0	0	0	0	0	0	0	0	0
226 - 250	10	0	0	0	0	0	0	0	0	0
251 - 275	15	0	0	0	0	0	0	0	0	0
276 - 300	20	0	0	0	0	0	0	0	0	0
301 - 325	25	5	0	0	0	0	0	0	0	0
326 - 350	30	10	0	0	0	0	0	0	0	0
351 - 375	35	15	5	0	0	0	0	0	0	0
376 - 400	40	20	10	0	0	0	0	0	0	0
401 - 425	45	25	15	5	0	0	0	0	0	0
426 - 450	50	30	25	15	5	0	0	0	0	0
451 - 475	55	35	25	15	5	0	0	0	0	0
476 - 500	60	40	30	20	10	5	0	0	0	0
501 - 525	65	45	35	25	15	5	0	0	0	0
526 - 550	70	50	40	30	20	10	0	0	0	0
551 - 575	75	55	45	35	25	15	5	0	0	0
576 - 600	80	60	50	40	30	20	10	0	0	0
601 - 625	85	65	55	45	35	25	15	5	0	0
626 - 650	90	70	60	50	40	30	20	10	0	0
651 - 675	95	75	65	55	45	35	25	15	5	0
676 - 700	100	80	70	60	50	40	30	20	10	0
701 - 725	105	85	75	65	55	45	35	25	15	5
726 - 750	110	90	80	70	60	50	40	30	20	0
751 - 775	115	95	85	75	65	55	45	35	25	0
776 - 800	120	100	90	80	70	60	50	40	30	0
801 - 825	125	105	95	85	75	65	55	45	35	0
826 - 850	130	110	100	90	80	70	60	50	40	0
851 - 875	135	115	105	95	85	75	65	55	45	0
876 - 900	140	120	110	100	90	80	70	60	50	0
901 - 925	145	125	115	105	95	85	75	65	55	0
926 - 950	150	130	120	110	100	90	80	70	60	0
951 - 975	155	135	125	115	105	95	85	75	65	0
976-1,000	160	140	130	120	110	100	90	80	70	0
1,001-1,025	165	145	135	125	115	105	95	85	75	0
1,026-1,050	170	150	140	130	120	110	100	90	80	0
1,051-1,075	175	155	145	135	125	115	105	95	85	0
1,076-1,100	180	160	150	140	130	120	110	100	90	0
1,101-1,125	185	165	155	145	135	125	115	105	95	0
1,126-1,150	190	170	160	150	140	130	120	110	100	0
1,151-1,175	195	175	165	155	145	135	125	115	105	0

C. Maximum required monthly contributions

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GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR
Sacramento 14
June 30, 1950

IN REPLY PLEASE REFER
TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare to revise the Manual of Policies and Procedures - Aid to Needy Children, C-530.

These regulations were adopted by the State Social Welfare Board on June 30, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, and 1560 and are filed in accordance with provisions of Section 11380 of the Government Code.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public procedure.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

FILED
in the Office of the Secretary of State
of the State of California

JUN 30 1950
3:15 P.M.
At 3:15 o'clock M.
FRANK M. JORDAN, Secretary of State
By *John G. Hayes* Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Charles J. Schatzky

(Signature)

Director

(Title)

6-30-50

(Date)

The assistance payment shall be increased as soon as administratively possible whenever it is determined that the authorized assistance payment is less than the amount by which total need exceeds the available net income.

The assistance payment shall be increased retroactively (in a subsequent month for some preceding month) if:

1. The payment was made in the amount authorized, but eligibility for a larger amount is subsequently determined due to a change in need or income, provided it is administratively possible to secure action of the board of supervisors before the end of the second month following that in which the underpayment occurred and provided the warrant for retroactive assistance would total \$1.00 or more. However, if it is not possible to secure action by the board of supervisors before the end of the second month, such action may be taken before the end of one year, including the month in which the underpayment occurred.

(a)

Example: ANC in the amount of \$150 was paid for October to meet the budget deficiency for a family of mother and four children. On November 10, the county learned that the family took out their first life insurance policy on October 1 on which the amount of the monthly premium was \$4, thereby increasing the need for October by \$4. The board of supervisors shall grant \$4 retroactive assistance for October and \$4 for November. Action shall be taken in November or December or if through error such action is not taken during this period, it may be taken before the next October 1.

(a)

2. A retroactive increase is granted upon appeal to the SDSW or if the SDSW concurs in the county's recommendation that the appeal be adjusted by payment of retroactive increase without hearing by the SSWB.

For procedures for correcting a payment made for a lesser amount than the amount authorized, see Sec. C-545, Corrective Payments. (W&IC 1560)

(a) Change in policy.

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In the Office of the Secretary of State
of the State of California

JUN 30 1950
3:15 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *John S. Sargent*
Deputy

Earl Warren
Governor

MAIN OFFICE
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SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

Sacramento 14
June 30, 1950

IN REPLY PLEASE REFER
TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare to revise the Adoption Manual of Policies and Procedures.

These regulations were adopted by the State Social Welfare Board on June 30, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Attachments

FILED
in the Office of the Secretary of State
of the State of California

JUN 30 1950
3:15 P.M.
FRANK M. JORDAN, Secretary of State
By *Wm. J. Hayes* Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Charles I. Schlesinger

(Signature)

Director

(Title)

6-30-50

(Date)

The adoption agency will frequently be requested to accept for placement a child who because of age, some physical or emotional handicap, or membership in a minority group, cannot be placed readily. The agency will desire to provide service, recognizing that basically a child is adoptable if suitable parents can be found for him. If the agency does not have a suitable home to meet the needs of the child, another agency may be able to assist in finding a home and working out cooperative arrangements for placement, and this resource should be thoroughly explored before a substitute plan is made.

The following statements will serve as basic guides in making plans for such children when it appears improbable that a suitable adoptive home will be found:

1. Children accepted for adoption service and not placeable within a reasonable length of time

In a public agency, these children should be transferred to ANC, GR, or the foster home unit for continuing service and responsibility. The relinquishment to the agency is broad enough to include indefinite foster home care rather than adoption, if an adoptive placement cannot be made.

a. If the difficulty is in locating a home for the child and it has not been possible to find a home through another adoption agency, his name should be kept in the adoption unit in an active file of children for whom homes need to be recruited so that he may be considered regularly in connection with applications received and approved. It might be well also to have the responsibility for finding a home for the child definitely assigned to a worker in the unit.

b. If the obstacle is in regard to the child himself, that is, he is not legally free for adoption, is of questionable heredity, or there is a negative health or emotional condition, the unit to which he is transferred should be responsible for follow up and later referral back to the adoption unit when the obstacle is cleared. The adoption unit, however, should keep a signal file on all such children in order that they may not be overlooked.

2. Children under the care of a Probation Officer or another agency for whom the agency requests adoption service

The adoption agency may accept the child under care immediately on referral or it may leave the child in the care of the referring agency while a suitable home is selected or recruited for the child. If, for any reason, the child proves to be unplaceable after being accepted for care by the agency, his welfare should be the determining factor in whatever plans are made for him. The adoption unit may transfer him to another unit of the agency or it may return him to the agency by which he was originally referred.

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of the State of California

JUN 30 1950

(Section Continued on Next Page)

3:15 P
A.M. o'clock M.
FRANK M. JORDAN, Secretary of State
By *John Sargent* Deputy

3. Hard-to-place children for whom parents request service

The public agency, with its related services publicly financed, may be in a better position than the private agency to accept the child who will require indefinite care before placement. An agency may refuse to accept a child for adoption service, however, if his physical or mental condition is such that it is doubtful that he can ever be placed for adoption, or if the agency already has a number of children in the same minority group for whom homes cannot be found.

If the agency accepts the child, the case may be handled in either of the following ways:

- a. The child welfare unit or other unit handling intake of parents may refer the parents to another unit of the agency other than the adoption unit, even though they may wish to relinquish the child for adoption.
- b. The adoption unit may accept the child conditionally if it is agreed between the agency and the parents that if adoption placement is not possible the parents may be asked later to participate further in planning for the child. If there is danger that the parent may leave the community, the agency may take the relinquishment and enter into an agreement with the parent that the relinquishment will not be filed until a home can be found for the child. If this is done, the parent should be asked to keep in touch with the agency until a final decision can be reached in regard to the plan for the child. If the parent should disappear without leaving an address and cannot be located, the agency should either file the relinquishment or have the child made a ward of the court, as the unfiled relinquishment would not have the effect of giving the agency legal custody and control of the child.

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948 MARKET STREET
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Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

Sacramento 14
June 30, 1950

IN REPLY PLEASE REFER
TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 338D (OAS) (Dated June 20, 1950)
DEPARTMENT BULLETIN NO. 339D (STAT) (Dated June 20, 1950)
DEPARTMENT BULLETIN NO. 388D Supplement (OAS,ANB)
(Dated June 13, 1950)
DEPARTMENT BULLETIN NO. 421 (ANB)
DEPARTMENT BULLETIN NO. 422 (OAS)

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, 103.6, 115, 116, 2140, 2165, 2201, and 3075 on June 30, 1950.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

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In the Office of the Secretary of State
of the State of California

Attachments

JUN 30 1950
3:15 P.M.
At _____ o'clock _____ M.
FRANK M. JORDAN, Secretary of State
By *John M. Sargent* Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Charles J. Shatzberg
(Signature)

Director
(Title)

6-30-50
(Date)

CHARLES I. SCHOTTLAND
Director

7 1C 103, 115, 116
EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
June 20, 1950

DEPARTMENT BULLETIN NO. 338D (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Weekly Wire Report on
OAS Application Activity.

The weekly wire report on Old Age Security applications is to be discontinued after submission of the report for the week ending July 1, 1950 (due on July 3). This supersedes Department Bulletin No. 338C.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

FILED
In the Office of the Secretary of State
of the State of California

JUN 30 1950

At 3:15 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By *Frank M. Jordan* Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Soc. Welfare
(Name of State Agency)

Charles J. Schottland
(Signature)

Director
(Title)

6-30-50

(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE **FILED**
616 K STREET
SACRAMENTO 14
June 20, 1950
*in the Office of the Secretary of State
of the State of California*

DEPARTMENT BULLETIN NO. 339D (STAT)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

JUN 30 1950
3:15 P.M.
At 3 o'clock M.
FRANK M. JORDAN, Secretary of State
By *John J. Sargent* Deputy

Subject: Monthly Statistical Reports on
Old Age Security (Ag 237) and
Aid to Needy Blind (Bl 237)

Forms Ag and Bl 237 have been revised for immediate use as follows:

Ag 237:

Items 5a and 5b (breakdown of pending applications by age groups 65 years and over and under 65) and Section D (Item 14 - Recipients under 65 years of age) have been deleted.

Three items are added in the revised form:

Item 11a. Discontinued because of death

Item 11b. All other discontinuances

Item 13c. County share - See Manual Section 627-10. (This item shall be included on the report for the month of July 1950 and thereafter).

Bl 237:

The only revision in the Bl 237 form is the addition of Item 13c, County share. See Manual Section 627-10. (This item shall be included in the report for the month of July 1950 and thereafter).

This bulletin supplements Department Bulletin Nos. 339, 339A and 339C.

Complete instructions for preparation of Forms Ag and Bl 237 will be re-issued in a single release at an early date.

A supply of revised Forms Ag 237 and Bl 237 is being sent under separate cover.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Charles J. Shatzman

(Signature)

Director

(Title)

6-30-50

(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
June 13, 1950

FILED

in the Office of the Secretary of State
of the State of California

JUN 30 1950

3:15 P.M.
At o'clock M.

FRANK M. JORDAN, Secretary of State
By John G. Sargent Deputy

Subject: Authorizing and Issuing
Retroactive OAS and ANB
Payments for Months
Prior to March 1950

DEPARTMENT BULLETIN NO. 388-D, SUPPLEMENT (OAS, ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

This bulletin applies only to those seven counties wherein the county auditor has been disbursing Old Age Security and Aid to Needy Blind payments for months prior to March 1950 under contract with the State Controller, as provided in Department Bulletin 388-D, Section A (Alameda, Los Angeles, Monterey, San Benito, San Francisco, Santa Clara, and Santa Cruz counties).

Existing contracts between the State Controller and the counties above designated cover disbursement of payments for months prior to March 1950 by the county auditor. These contracts expire June 30, 1950. The Controller has advised that he will not ask for an extension of the contracts. Therefore, payments disbursed on and after July 1, 1950, for any month within the period that Article XXV was in effect (January 1, 1949, through February 28, 1950) must be disbursed by the State Controller.

As provided in Department Bulletin 388-D, Section A, Forms Temp 201-A (Certificate of Verification of Eligibility for Payment for Months Prior to March 1950) and Form Temp 232-A (Payment, Other Than Initial Payments, for Months Prior to March 1950) shall be used to authorize payments for months within the period January 1, 1949, through February 28, 1950. Beginning July 1, 1950, the completed original forms Temp 201-A and 232-A, showing signature of the local deputy director, State Department of Social Welfare, and the date thereof, shall be transmitted to the State Department of Social Welfare, 616 K Street, Sacramento, Attention Bureau of Claims Accounting. Likewise such forms shall be transmitted to the State Department of Social Welfare, Sacramento, if aid is authorized so late in June that disbursement cannot be accomplished by the county auditor prior to July 1, 1950.

All authorizations for payment for months prior to March 1950 must be submitted to the State Controller on Form Ag 278. (See sample attached to Department Bulletin 388-D.) The State Department of Social Welfare will assume responsibility for preparing the necessary forms Ag, Bl 278 from information recorded on forms Temp 201-A and 232-A submitted by the county. One copy thereof will be transmitted to the State Controller who will disburse the authorized payment. One copy of the Form Ag, Bl 278 will be returned by the State Department of Social Welfare to the county where it shall be filed in the case record.

Normally payment is disbursed by the State Controller within ten days after the authorization for payment has been transmitted to him. The date shown in Item 1 on the copy of the Form Ag, Bl 278 forwarded to the county by the State Department of Social Welfare will represent the date the document was transmitted to the State Controller. Any questions regarding delayed or lost warrants should be referred to the State Department of Social Welfare, Attention Bureau of Claims Accounting.

The elapsed time since March 1, 1950, is such that there should be no "held" warrants for months prior to March. If for any reason warrants for months prior to March are in possession of the county auditor on July 1, 1950, such warrants shall be cancelled. Should it be necessary to issue a warrant in lieu of one which was cancelled on July 1, the aid for the particular month must be reauthorized by the local deputy director and the appropriate form submitted to the State Department of Social Welfare as herein outlined.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Charles I Shadelup

(Signature)

Director

(Title)

6-20-50

(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

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In the Office of the Secretary of State
of the State of California

JUN 30 1950

DEPARTMENT BULLETIN NO. 421 (ANB) (Proposed)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

At 3:15 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *John J. Jordan* Deputy

Subject: Revision of Forms
Aid to Needy Blind

The following forms are being revised in accordance with rules and regulations adopted by the State Social Welfare Board relating to amended personal property provisions of the Aid to Needy Blind law (Department Bulletin No. 413).

Forms Bl 200, Application for Aid to the Blind
Bl 201, Certificate of Verification of Eligibility for Aid to the Blind
Bl 206, Recipient's Affirmation of Eligibility for Aid to the Blind

Pending the receipt of the revised forms the present supply shall be used with the following changes:

Bl 200--Application for Aid to the Blind: Item 5, Personal Property - The words "assessed" and "county assessed" are to be crossed out. The Aid to Needy Blind applicant shall be requested to indicate the market value of personal property owned (rather than the assessed value); or, if the spouse is an applicant for, or recipient of, Aid to Needy Blind, the total amount (market value) of personal property owned by the applicant and his spouse. This supplements instructions in Manual Section 202-20.

Bl 201--Certificate of Verification of Eligibility: Item 6 B, Personal Property - Cross out the words "county assessed" and indicate the market value of personal property owned by the applicant for Aid to Needy Blind, or, if the spouse is an applicant for, or recipient of, Aid to Needy Blind, enter the total amount (market value) of personal property owned by the applicant and his spouse. This amends instructions for Item 6 B in Manual Section 237-50.

Bl 206--Recipient's Affirmation of Eligibility for Aid to the Blind: Item 3, Personal Property - The Aid to Needy Blind recipient shall be requested to indicate the market value of personal property owned (rather than the assessed value); or if the spouse is an applicant for, or recipient of, Aid to Needy Blind,

the al amount (market value) of pe---nal property owned by the applicant and spouse. Item 3 on the reverse of Form Bl 206 should be completed accordingly. This supplements instructions in Manual Section 352-20.

If the results of re-investigation are recorded in the case record in lieu of recording on the reverse of Form Bl 206, the recording shall include the information specified immediately above.

Very sincerely yours,

Charles I. Schottland
Director

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Charles J. Schatzman
(Signature)

Director
(Title)

6-30-50
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

FILED

In the Office of the Secretary of State
of the State of California

DEPARTMENT BULLETIN NO: 429 (OAS) - (PROPOSED)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Old Age Security
Separate Real Property of Spouse
Conversion of Real Property
Non-County Residence

JUN 30 1950
3:15 P.M.
At 3:15 o'clock M.
FRANK M. JORDAN, Secretary of State
By *John J. Taggart* Deputy

The following rulings are based on legislation adopted during the 1950 First Extraordinary Session of the Legislature. Chapter 26 becomes effective July 15, 1950, and Chapter 27 became effective April 27, 1950. (See Circular Letter No. for summary of legislation affecting OAS adopted during that session and in which Department Bulletins relating thereto are cited.)

I. Separate Real Property of Spouse With Whom the Applicant or Recipient is Not Living

W&IC Section 2165a was amended by Chapter 26, Statutes of 1950 First Extraordinary Session to read:

"2165a. In computing value of property under Section 2165, ownership of separate property by a spouse with whom the applicant or recipient is not living shall not preclude the applicant or recipient from receiving the aid provided in this chapter."

Section 2165 places a \$3500 limitation on the county assessed value of the combined real property of the husband and wife, after encumbrances thereon have been deducted.

If the facts established real property to be the separate property of a spouse who is separated from, and who is not living in the same household with, the applicant or recipient, the county assessed value of such spouse's separate real property shall be excluded when determining whether real property holdings are within the statutory limitations. Likewise any encumbrance on the separate real property of such spouse shall be disregarded.

In cases of separation without intent to terminate the marital relationship, e.g., due to illness, visits to relatives, etc., the separate real property of the spouse shall be included in determining the real property holdings of the applicant or recipient.

The foregoing ruling modifies Manual Sections 130-00, 131-07, 131-10, 131-15 and 132-00 as they relate to Old Age Security. Manual Section 131-18, Ownership of Real Property by Separated Spouse, is cancelled.

II. Conversion of Real Property

W&IC Section 2165d, which previously related only to money received from the condemnation sale of the home, was amended by Chapter 26, Statutes of 1950 First Extraordinary Session to read:

"2165d. Any proceeds from the conversion of real property into personal property received by an applicant or recipient of aid under this chapter shall be considered real property for a period of six months from the time of their receipt, if such proceeds are retained for the purpose of providing a home."

If the applicant or recipient sells real property (title passing to the buyer) and plans to utilize the proceeds from such sale to purchase a home for his own occupancy, the proceeds from such sale represent real property until the purchase is made, or the expiration of six months from the time of receipt of the proceeds, whichever is earlier. The county assessed value of property sold shall be used in determining the real property value of proceeds from sale of the home.

If a home is purchased within a six month period and the cost of the home is less than the proceeds received from sale of real property, the balance shall be considered personal property as of the first of the following month. However, if the recipient must make immediate repairs in order that the purchased property will provide a suitable home for himself, allowance for the cost of such repair shall be made when determining whether the cost of the home is less than the proceeds received from the sale.

The plan for utilization of the proceeds shall be ascertained when knowledge of the sale becomes known and the plan as reported by the applicant or recipient shall be recorded in the case record.

It should be noted that the period of time during which the proceeds from the sale of real property shall not be considered personal property (when retained for the purpose of purchasing a home) is now six months and that this is applicable to any sale of real property, voluntary or involuntary.

The foregoing rulings modify Manual Sections 130-00, 134-10 and 146-00 as they relate to Old Age Security. They also modify Department Bulletin No. 402, Section II, paragraph 3, and Bulletin No. 412, Section C, items 1 and 8.

III. Non-County Residence

W&IC Section 2201 was added to the Welfare and Institutions Code by Chapter 27, Statutes of 1950. That section provides as follows:

"2201. Notwithstanding any provision of Section 2200, any recipient of aid under this chapter who removed from one county to another county in this State prior to March 1, 1950, but has not attained one year's residence in the county to which he has removed shall, for the purposes of this chapter, be deemed to be a person who has no county residence as provided in this chapter until he has attained one year's residence in the county to which he has removed."

If by act and intent the recipient established residence in the second county prior to March 1, 1950, and has not acquired one year of residence in such second county by July 1, 1950, reimbursement for July shall be claimed on a non-county basis. Reimbursement shall continue to be claimed on a non-county basis until the first day of the first month following the date on which the recipient acquires one year of residence in the second county. However, if the change of residence occurred on the first day of the month, non-county reimbursement shall be claimed through the end of the month immediately preceding the date on which the recipient acquires one year of residence in the second county.

The foregoing ruling modifies Manual Sections 122-15, 122-50, 122-53, 122-60, 122-65 and 370-00 as they relate to Old Age Security.

(See Department Bulletin No. 394 issued January 17, 1950, page 11, which provided that transfer arrangements for persons who established residence in another county prior to March 1, 1950, be completed in time for the second county to assume responsibility for payment of aid not later than July 1, 1950.)

Very sincerely yours,

Charles I. Schottland.
Director

Department Bulletin No. 422
Page 3

Earl Warren
Governor

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR
Sacramento 14
June 30, 1950

IN REPLY PLEASE REFER

FILED to:

In the Office of the Secretary of State
of the State of California

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

JUN 30 1950

At 3:15 o'clock P.M.

FRANK M. JORDAN, Secretary of State X

By John M. Jordan Deputy

Dear Mr. Jordan:

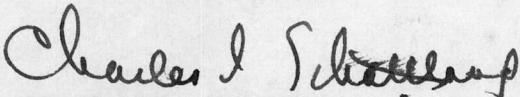
Attached are three copies of the following regulations issued by the State Department of Social Welfare:

- Manual Section 165-00 - Subvention for Hospital or Infirmary Care
- Manual Section 165-05 - Definition of County Institution Under W&IC 2160.7 and 3044.1
- Manual Section 165-15 - State Payment-County Institutional Subvention Claim Under W&IC 2160.7 and 3044.1
- Manual Section 361-25 - Retroactive Aid Payments by County
- Manual Section 627-10 - Charts of Financial Participation in Grants of Aid
- Manual Section 627-25 - County Institutional Subvention Claim Under W&IC 2160.7 and 3044.1

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, 103.6, 1560, 2140, 2160.7, 3044.1, 3075, and 3460 on June 30, 1950.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,


Charles I. Schottland
Director

Attachments

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Charles J Schatzland

(Signature)

Director

(Title)

6-30-50

(Date)

A claim for payment to the county for medical, hospital or infirmary care rendered a former recipient of OAS or ANB in a county institution at county expense may be made when all of the following conditions are met. (See Sec. 165-05, Definition of County Institution Under W&IC 2160.7 and 3044.1.)

1. The individual was eligible to and was receiving aid on the date of admission.
2. The individual has been continuously confined in the institution and two calendar months since date of admission have elapsed. (See Sec. 164-10, Eligibility During Hospitalization.)
3. There is on file in the county the certification of the superintendent or other official of the institution that the former recipient received care in the institution during each month for which a claim is filed.

Subvention shall be claimed by the county rendering the care ~~in-its~~ hospital-~~or~~-infirmary irrespective of the former recipient's residence status except when such care is being given under a contractual arrangement between the two counties in which case the county paying for the care rendered shall claim. (W&IC 2140, 3075)

FILED

in the Office of the Secretary of State
of the State of California

JUN 30 1950

At 3:15 o'clock P.M.

FRANK M. JORDAN, Secretary of State

By John G. Sayl
Deputy

(a) Incorporation of Dept. Bul. 372-B.

A county institution, as the term is used in W&IC 2160.7 and 3044.1, is an institution established and maintained by a county for the purpose of rendering medical or surgical care to the sick or wounded or where the infirm are given shelter and maintenance. County institution includes a private hospital which, pursuant to contract with the county, accepts patients for medical, hospital, or infirmary care at county expense.

(a)

(a) Incorporation of Dept. Bul. 372-B.

The state's payment for medical, hospital, or infirmary care rendered a former recipient of OAS or ANB in a county institution shall not exceed the amount of the state's participation in the amount of aid the person was receiving when admitted to the institution is \$35.20 per month, or portion of a month. (See Sec. 627-25, County Institutional Subvention Claim Under W&IC 2160.7 and 3044.1)

Example A:--Upon admission to the county institution the ANB recipient's grant was \$26 a month as he was receiving board and room in his daughter's home. The claim for state subvention shall be made on the basis of a \$26 monthly ANB grant. (a)

Example B:--When admitted to the county institution the OAS recipient's grant was \$48 as \$4, the value of occupancy of his own home, was deducted from total need of \$52. The claim for state subvention shall be made on the basis of a \$48 monthly OAS grant.

In all cases where payment to the county for institutional care is to be claimed, the county board of supervisors shall take action requesting such payment in the first month for which the claim is being made if possible. (See Sec. 362-48, Reporting Payment to County for Institutional Care on Notice of Change, Section IV)

There shall may be no overlapping of payment to the county for institutional care and payment of aid to the individual under the following circumstance. If upon release from the county institution the former recipient is eligible for restoration, aid should shall be restored for the balance of the month in which he is not in the institution. (See Sec. 215-00, Restoration of Aid.) When If aid is restored as of the date the former recipient leaves the county institution, claim for the institutional subvention shall terminate as of the preceding day be for the full month. A If former recipient for whose care the institutional subvention is paid may die dies before the end of the particular month, claim for the institutional subvention in such case shall be based upon the full month. (See Secs. 165-00, 165-05, and 627-25, County Institutional Subvention Claim Under W&IC 2160.7 and 3044.1.) (W&IC 2140, 2160c, 2160.6, 3044.1, 3075; AGO NS5350) (a)

Example C:--A former recipient of OAS or ANB leaves county institution March 15 and is restored effective on that date,--March 14 is the last day for which the institutional subvention is payable.

(a) Incorporation of Dept. Bul. 372-B.

Retroactive aid means aid paid in a subsequent month for some preceding month or months. All payments of aid shall be made within the month for which aid is granted (See Sec. 611-50, Beginning Date of Aid--New Applications) except that retroactive aid shall be paid by the county in the following types of situations (See Sec. 626-50, Supplemental Aid Claims):

1. When retroactive aid is granted upon appeal to the SSWB or when the SDSW concurs in the county's recommendation that the appeal be adjusted by payment of retroactive aid without hearing by the SSWB (See Secs. 325-42, Stipulated Appeals, and 325-75, Retroactive Aid).
2. When retroactive initial payments are due because the investigation exceeded the period allowed by law for the particular category of aid as described in Sec. 611-70, Retroactive Initial Payments. The action of the board of supervisors may be an original action on the application (For examples see Sec. 611-70, Examples B, C and D), or it may be a subsequent action to correct the original action where it is found that the beginning date originally established was not in accord with the legal provisions.

Example: An OAS application which was signed on July 15 was approved by the Board of Supervisors on September 15, aid to start effective October 1. On October 25 the county discovers that aid should have been effective September 1 according to the provisions of W&IC Sec. 2183. On November 2 the Board of Supervisors takes action correcting the erroneous beginning date of aid by ordering aid paid effective September 1.

3. When an authorized award is in effect, but through error no payment is made, and the payment due is made within a three-month period, including the month in which no payment was made. No further action by the board of supervisors is necessary.
4. When a payment in a particular month is made for less than the authorized award for that month, and the additional payment due is made within a three-month period, including the month in which the erroneous payment was made. No further action by the board of supervisors is necessary.

Example: The authorized award for a recipient of ANB for October is \$75. Due to an error, the recipient was paid \$60 for October. County shall pay recipient additional \$15 due for October in November or not later than December 31.

5. When an award has been made and remains in effect, but payment of aid is suspended as provided in Sec. 361-30, Suspension Procedure, and subsequently eligibility to the suspended warrants is established. Board of Supervisors' action is not required to release a suspended warrant. (See Sec. 361-30, Suspension Procedure.)
6. When a warrant is returned to the county auditor's office because of a change in the address of the recipient, such warrant shall be transmitted to the recipient's new address as soon as possible in the current month or within the two subsequent months following that for which the warrant was issued. (See Sec. 610-20, Time of Payment.)

7. When aid is continuous and there is a change of payee, the warrant shall be delivered to the new payee as soon as possible in the current month or within the two subsequent months following that for which aid is granted.
8. When, in a transferred case, the second county fails to begin aid on the date due. To avoid interruption in receipt of aid, the second county shall pay retroactive aid. (See Sec. 122-50, Removal from County of Residence.)
9. When it is determined that the previous action of the board of supervisors was erroneous, the board of supervisors shall rescind and correct its previous action under certain circumstances and limitations as follows:
 - a. Rescission of denial action on an application. (See Sec. 201-25, When Application to be Taken.) The rescinding action must be taken within one year from the date of the action which is being rescinded. The beginning date of aid is then determined on the basis of the elapsed time between the date the application was signed and the date of the action granting the retroactive aid due. (See Sec. 611-50, Beginning Date of Aid--New Applications.)
 - b. Rescission of an erroneous action discontinuing aid. The rescinding action must be taken within one year from the date of the action which is being rescinded and retroactive aid granted from the first of the month following the effective date of the erroneous discontinuance.
10. When the SDSW concurs in a county recommendation that retroactive aid be paid or when the county concurs in a SDSW recommendation that retroactive aid be paid in appeals involving degree of blindness. (See Sec. 325-42, Stipulated Appeals.)
11. ~~Retraeactive-aid-shall-be-paid-by-the-county~~ When a payment was made in conformity with the authorized award ~~end-it-is but the~~ county subsequently determined that the recipient was eligible for a ~~larger-grant, greater amount, the county shall grant retroactive aid provided it-is-administratively-possible-to-seeare-action-if~~ the board of supervisors ~~can authorize the additional amount due before the end of the second month following that in which the recipient-was-underpaid underpayment occurred.~~

~~The elapsed time may be such that the county cannot authorize the additional amount due before the end of the second month following that in which underpayment occurred. Under these circumstances the county may grant the additional amount due without the necessity of appeal or SDSW concurrence provided the board of supervisors can authorize the additional aid before the expiration of one year, including the month in which the recipient was underpaid.~~

(a)

(a) Change in policy.

Example-A: An OAS recipient received \$65 in July. A \$10 deduction was made because of a semi-monthly contribution. On September 5 the county learned that the semi-monthly contribution ceased in June, and the recipient has had no other income. He was thus eligible to receive a grant of \$75 since July 1.

If administratively possible, the board of supervisors shall by action in September grant retroactive aid for July and August (and authorize a supplemental payment for September). If not administratively possible to take such action in September, action shall be taken in October to grant the retroactive aid due for August and September, the two months preceding the month in which the action is taken (and to grant supplemental aid for October). (a)

Example-B: An ANB recipient received a grant of \$35 in August and in October the county verified that the income formerly received ceased in August. Therefore the recipient was eligible for a grant of \$65 from September 1. The board of supervisors does not meet again until November 5. On that date the November grant is increased to \$85 and retroactive aid for September and October is granted.

(See Sec. 627-30, Federal Participation.) (W&IC 2140, 2220, 3075, 3078.5, 3460; AGO NS4670; FSS-Admin.)

(a) Change in policy

627-10 CHARTS OF FINANCIAL PARTICIPATION IN GRANTS OF AID
(Rev.) OAS, ANB, APSB, ANC

627-10

Old Age Security

PERIOD COVERED	MAXIMUM GRANT	MAXIMUM FEDERAL BASIS	RATIO OF PARTICIPATION		
			FEDERAL SHARE	STATE SHARE	COUNTY SHARE
7/1/50 thru	\$75	\$50	1/2 up to \$50 plus \$5	6/7 of Remainder	1/7 of Remainder
1/1/49 thru 6/30/50	75	50	1/2 up to \$50 plus \$5	Remainder	None
10/1/48 thru 12/31/48	65	50	1/2 up to \$50 plus \$5	6/7 of Remainder	1/7 of Remainder
8/1/47 thru 9/30/48	60	45	1/2 up to \$45 plus \$2.50	6/7 of Remainder	1/7 of Remainder
10/1/46 thru 7/31/47	55	45	1/2 up to \$45 plus \$2.50	5/6 of Remainder	1/6 of Remainder
7/1/43 thru 9/30/46	50	40	1/2 up to \$40	5/6 of Remainder	1/6 of Remainder
1/1/40 thru 6/30/43	40	40	1/2 up to \$40	1/2 of Remainder	1/2 of Remainder
4/1/36 thru 12/31/39	35	30	1/2 up to \$30	1/2 of Remainder	1/2 of Remainder
9/15/35 thru 3/31/36	35	0	None	1/2 of Grant	1/2 of Grant
1/1/30 thru 9/14/35	30	0	None	1/2 of Grant	1/2 of Grant

Regular cases (Code R) - Shares are computed according to the chart.Non-federal cases (Code X) - The state and county participate in the total amount of the grant up to the maximum grant according to their respective ratios.Non-county cases (Code N) - The state pays the remainder of the grant after deducting the federal share.Non-county, non-federal cases (Code S) - The state pays the total amount of the grant.

(Section Continued on Next Page)

(a) To incorporate participation ratios for prior periods.

627-10 (Continued)

627-10

Aid to Needy Blind

PERIOD COVERED	MAXIMUM GRANT	MAXIMUM FEDERAL BASIS	RATIO OF PARTICIPATION		
			FEDERAL SHARE	STATE SHARE	COUNTY SHARE
7/1/50 thru	\$85	\$50	1/2 up to \$50 plus \$5	3/4 of Remainder	1/4 of Remainder
1/1/49 thru 6/30/50	85	50	1/2 up to \$50 plus \$5	Remainder	None
10/1/48 thru 12/31/48	80	50	1/2 up to \$50 plus \$5	3/4 of Remainder	1/4 of Remainder
10/1/47 thru 9/30/48	75	45	1/2 up to \$45 plus \$2.50	3/4 of Remainder	1/4 of Remainder
3/1/47 thru 9/30/47	65	45	1/2 up to \$45 plus \$2.50	1/2 of Remainder	1/2 of Remainder
10/1/46 thru 2/28/47	60	45	1/2 up to \$45 plus \$2.50	1/2 of Remainder	1/2 of Remainder
9/15/45 thru 9/30/46	60	40	1/2 up to \$40	1/2 of Remainder	1/2 of Remainder
1/1/40 thru 9/14/45	50	40	1/2 up to \$40	1/2 of Remainder	1/2 of Remainder
7/1/36 thru 12/31/39	50	30	1/2 up to \$30	1/2 of Remainder	1/2 of Remainder
8/14/29 thru 6/30/36	50	0	None	1/2 of Grant	1/2 of Grant

Regular cases (Code R) - Shares are computed according to the chart.

Non-federal cases (Code X) - The state and county participate in the total amount of the grant up to the maximum grant according to their respective ratios.

Non-county cases (Code N) - The state pays the remainder of the grant after deducting the federal share.

Non-county, non-federal cases (Code S) - The state pays the total amount of the grant.

(Section Continued on Next Page)

(a) To incorporate participation ratios for prior periods.

627-10 (Continued)

627-10

Aid to Partially Self-supporting Blind Residents

PERIOD COVERED	MAXIMUM GRANT	RATIO OF PARTICIPATION *	
		STATE SHARE	COUNTY SHARE
2/1/49 thru	\$85	5/6 of Grant	1/6 of Grant
10/1/47 thru 1/31/49	75	5/6 of Grant	1/6 of Grant
3/1/47 thru 9/30/47	65	1/2 of Grant	1/2 of Grant
9/15/45 thru 2/28/47	60	1/2 of Grant	1/2 of Grant
7/1/41 thru 9/14/45	50	1/2 of Grant	1/2 of Grant

(a)

*There is no federal participation in APSB.

Regular cases (Code R) - Shares are computed according to the chart.

Non-county cases (Code N) - The state pays the total amount of the grant.

(Section Continued on Next Page)

(a) To incorporate participation ratios for prior periods.

627-10 (Continued)

627-10

Aid to Needy Children (Voucher)

PERIOD COVERED	MAXIMUM STATE BASIS *		MAXIMUM FEDERAL BASIS	RATIO OF PARTICIPATION		
	REGULAR CASES	NON-FEDERAL CASES		FEDERAL SHARE	STATE SHARE	COUNTY SHARE
10/1/48 thru	\$88.50 for first child, \$48 for each additional child in family budget unit.	\$72 for first child, \$36 for each additional child in the home.	\$27 for first child, \$18 for each additional child in family budget unit.	1/2 up to maximum Federal basis plus \$3 for each child.	2/3 of Remainder	1/3 of Remainder
10/1/47 thru 9/30/48	\$85.50 for first child, \$45 for each additional child in family budget unit.	\$72 for first child, \$36 for each additional child in the home.	\$24 for first child, \$15 for each additional child in family budget unit.	1/2 up to maximum Federal Basis plus \$1.50 for each child.	2/3 of Remainder	1/3 of Remainder
10/1/46 thru 9/30/47	\$36 for first child, \$31.50 for each additional child in family budget unit.	\$22.50 for each child.	\$24 for first child, \$15 for each additional child in family budget unit.	1/2 up to maximum Federal Basis plus \$1.50 for each child.	2/3 of Remainder	1/3 of Remainder
1/1/40 thru 9/30/46	\$31.50 for first child, \$28.50 for each additional child in family budget unit.	\$22.50 for each child.	\$18 for first child, \$12 for each additional child in family budget unit.	1/2 up to maximum Federal Basis.	2/3 of Remainder	1/3 of Remainder
10/1/39 thru 12/31/39	\$28.50 for first child, \$26.50 for each additional child in family budget unit.	\$22.50 for each child.	\$18 for first child, \$12 for each additional child in family budget unit.	1/3 up to maximum Federal Basis.	2/3 of Remainder	1/3 of Remainder
7/1/36 thru 9/30/39	\$20 for each child in family budget unit.	\$20 for each child.	\$18 for first child, \$12 for each additional child in family budget unit.	1/3 up to maximum Federal Basis.	1/2 of Remainder	1/2 of Remainder
Prior to 7/1/36	None.	\$10 for each child in the home.	None.	None.	Total amount of grant.	None

*Any amount paid over the maximum state basis is county supplemental aid.

Regular cases (Code R) - Shares are computed according to the chart. Exclude county supplemental aid.

Non-federal cases (Code X) - The state and county participate in the total amount of the grant (excluding county supplemental aid) according to their respective ratios.

Non-county cases (Code N) - The state pays the remainder of the grant (excluding county supplemental aid) after deducting the federal share.

Non-county, non-federal cases (Code S) - The state pays the total amount of the grant (excluding county supplemental aid).

(Section Continued on Next Page)

(a) To incorporate participation ratios for prior periods.

627-10 (Continued)

627-10

Aid to Needy Children (Boarding Homes and Institutions)

PERIOD COVERED	MAXIMUM STATE BASIS *	RATIO OF PARTICIPATION	
		STATE SHARE	COUNTY SHARE
10/1/47 thru	\$72 for first child, \$36 for each additional child in the home.	2/3 of Grant	1/3 of Grant
10/1/39 thru 9/30/47	\$22.50 for each child in the home.	2/3 of Grant	1/3 of Grant
7/1/36 thru 9/30/39	\$20 for each child in the home.	1/2 of Grant	1/2 of Grant
Prior to 7/1/36	\$10 for each child in the home.	Total amount of grant.	None

*Any amount paid over the maximum state basis is county supplemental aid. There is no federal participation in ANC payments made to children in boarding homes or institutions.

(a)

Regular cases (Code R) - Shares are computed according to the chart. Exclude county supplemental aid.

Non-county cases (Code N) - The state pays the total amount of the grant (excluding county supplemental aid).

(WFD 1560, 2140, 3075, 3460)

(a) To incorporate participation ratios for prior periods.

County Institutional Claims cover state payments to counties for medical, hospital, or infirmary care extended to former recipients of OAS or ANB (APSB excluded) in county institutions. (Sec. 165-00, Subvention for Hospital or Infirmary Care.) Only one claim for each quarter shall be filed for each aid. This quarterly claim shall show the amount of subvention being claimed each month of the quarter for each former recipient of OAS or ANB. (See Secs. 626-10, 626-20, and 626-40.)

County institutional subvention is paid only after aid to the individual has been discontinued. It continues until the end of the month in which the person leaves the institution except when aid is restored during the month in which the person leaves the institution. In the latter instance the institutional subvention is paid only up to the date on which aid is restored. There shall be no overlapping of aid to the individual and county institutional subvention.

Example A: An ANB recipient entered a county institution on October 15 and aid was discontinued December 31. County institutional subvention began January 1. The person died on March 17. County institutional subvention is claimed for the entire months of January, February, and March.

Example B: An OAS recipient entered a county institution on September 14. Aid was discontinued November 30. County institutional subvention began December 1. The person left the county institution January 17 and OAS was restored on that date. County institutional subvention is claimed for the entire month of December and for 16 days in January. OAS is paid for 15 days in January and reimbursement is claimed on the OAS claim. (a)

The amount which a county receives as county institutional subvention is determined by the state share of the grant the recipient was receiving when he entered the institution, and no subsequent changes in maximum grant, Federal participation, or state-county sharing ratios affect the amount to be paid.

Example C: An ANB recipient receiving a maximum grant of \$60 entered the county hospital on November 15, 1946. Participation in that payment was as follows: Federal \$25; state \$17.50; county \$17.50. Beginning February 1, 1947, institutional subvention in the amount of \$17.50 was claimed. On March 1, 1947, the maximum ANB grant was increased to \$65 by law. The county institutional subvention claim remains at \$17.50 for March and subsequent months. (See Case No. 1 on the ANB example of Form AB-801-H)*.

Example D: An OAS recipient receiving a grant of \$50 entered the county hospital on June 11, 1946. Participation in that payment was as follows: Federal \$20; state \$25; county \$5. Beginning September 1, 1946, institutional subvention in the amount of \$25 was claimed. The amount to be claimed for October and subsequent months remains the same. (No change resulted due to the October 1, 1946, increase in Federal participation.) (See Case No. 1 on the OAS example of Form AB-801-H)*.

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*Examples of the various types of cases are shown on the sample forms in Sec. 629-99, County Aid Claim Forms.

Example E: An OAS recipient receiving a grant of \$55 entered the county hospital on April 2, 1947. Participation in that payment was as follows: Federal \$25; state \$25; county \$5. Beginning July 1, 1947, institutional subvention in the amount of \$25 was claimed. On August 1, 1947, the maximum grant was increased to \$60, and the state-county-sharing ratio was changed from 5/6 - 1/6 to 6/7 - 1/7. The county institutional subvention claim remains at \$25 for August, 1947, and subsequent months. (See Case No. 2 on the OAS example of Form AB 801-H)*.

Example F: An OAS recipient receiving a grant of \$55 entered the county hospital on August 5, 1947. Participation in that payment was as follows: Federal \$25; state \$25.71; county \$4.29. OAS was decreased to \$50 effective September 1. Beginning November 1 institutional subvention in the amount of \$25.71 should be claimed. (Amount of institutional subvention is not affected by the change in grant subsequent to the date the recipient entered the institution.) (See Case No. 3 on the OAS example of Form AB 801-H)*.

In both regular and non-county cases the state share of the aid the recipient was receiving at the time of his entrance into the county institution is reported on Form AB 801-H, Claim for State Aid for Care of Former OAS/ANB Recipients in County Institutions. The total state share for all such cases is carried forward to the affidavit, Form AB 800-H.

The method of computing the state share in regular and non-county cases is as follows:

(a) (1) When county institutional subvention is claimed for the full month, the state share is computed according to the rules and regulations in effect in the month the recipient entered the institution.

Example G: An OAS recipient was receiving a grant of \$55 when he entered the county institution in July, 1947. Under the rules in effect in July, 1947, participation for a regular case was as follows: Federal \$25 (\$2.50 added to $\frac{1}{2}$ of \$45); state \$25 (5/6 of the difference between \$55 and \$25); county \$5 (1/6 of the difference between \$55 and \$25). In a non-county case the state share would be equal to the total grant less the Federal share, or \$30 (\$55 - \$25). (See Cases Nos. 4 and 5 on the OAS example of Form AB 801-H)*.

Example H: An OAS recipient was receiving a grant of \$55 when he entered the county institution in August 1947. Under the rules in effect in August 1947, participation for a regular case was as follows: Federal \$25 (\$2.50 added to $\frac{1}{2}$ of \$45); state \$25.71 (6/7 of the difference between \$55 and \$25); county \$4.29 (1/7 of the difference between \$55 and \$25). In a non-county case the state share would be equal to the total grant less the federal share, or \$30 (\$55 - \$25). (See Cases Nos. 6 and 7 on the OAS example of Form AB 801-H)*.

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*Examples of the various types of cases are shown on the sample forms in Sec. 629-99, County Aid Claim Forms.

(a) Incorporation of Dept. Bul. 372-B.

(2) When county institutional subvention is claimed for a portion of the month, and the remainder of the month is claimed on the aid claim, the state share in both regular and non-county cases is the full month's share (computed as in item 1) prorated for the number of days the person remains in the institution.

Example: An ANB recipient receiving a grant of \$75 enters the county institution in November, 1947, where he remains until April 16, 1948, when he is discharged and ANB is restored at the rate of \$75. On the county institutional subvention claim for April 1948, the actual state share for 15 days, or \$18.75, is reported. (\$75 - \$25 = \$50, $\$50 \times \frac{3}{4} = \37.50 , $\$37.50 \times \frac{15}{30} = \18.75). In a non-county case the state share for 15 days would be \$25. (\$75 - \$25 = \$50, $\$50 \times \frac{15}{30} = \25). A warrant is issued to the grantee in the amount of \$37.50 (15/30 x \$75), and that amount is reported on the voucher claim. (W&IE 2020, 2140, 2160.7, 2187.01, 3044.1, 3075, 3084; AGO NS5240; AGO NS5350)

Institutional Subvention Claims are for state payments to counties for medical, hospital or infirmary care extended to former recipients of OAS or ANB (APSB excluded) in county institutions. (See Sec. 165-00, Subvention for Hospital or Infirmary Care.) These claims consist of the following forms:

(to be submitted in triplicate)

1. Aid Affidavit, Form AB 800 H, ~~which~~ certifies to the total amount of state subvention claimed. ~~To be submitted in triplicate.~~

(to be submitted in duplicate)

2. Claim, Form AB 801 H, ~~which~~ lists the names and state case numbers of the persons for whom subvention is claimed, and indicates the month(s) claimed for each person. ~~To be submitted in duplicate.~~

This form is also used to make adjustments covering any prior overclaims or underclaims. Opposite each such item a short ~~Explanation shall be given of the reason for making the adjustment.~~ ~~Schedule of Adjustments, Form AB 805, which lists the detail of minus adjustments for prior quarters, if any.~~ ~~To be submitted in duplicate.~~

Only one claim for each calendar quarter shall be filed for each program, OAS and ANB. Each claim shall include all persons for whom county institutional subvention has been authorized in accordance with Secs. 165-00 and 165-15, and who were confined in county hospitals or infirmaries during the months in the calendar quarter covered by the claim. The quarterly claim shall be submitted to the SDSW in the number of copies stated above, not later than the tenth of the month following the end of the quarter for which subvention is claimed.

Enter an "X" in the proper column on the claim, Form AB 801 H, to indicate each month for which subvention is being claimed for each former recipient. The total number of persons shown for each month on Form AB 801 H is carried forward to the Affidavit, Form AB 800 H, on which is computed the total amount of subvention to be claimed.

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(a) Incorporation of Dept. Bul. 372-B.

Supplemental claims for prior months subsequent to September 30, 1949, shall be listed at the end of the claim for the current quarter. The month(s) for which each claim is made shall be clearly indicated. The number of persons on the supplemental claims shall be added separately on the claim, Form AB 801 H, and carried forward to the Affidavit, Form AB 800 H, in the appropriate item.

Supplemental claims for months prior to October 1949 shall not be included on the current forms. Such claims shall be submitted separately on Forms AB 800 H and AB 801 H, revised July 1948, which apply to that period.

The following are the amounts of state subvention allowable per recipient for the different periods:

Effective March 1, 1950, \$35.20 per month, or portion of a month. October 1, 1949 through February 28, 1950, \$27.50 per month, or portion of a month.

Prior to October 1, 1949, the state share of the grant the recipient was receiving when he entered the institution, with no overlapping of aid and subvention.

(W&IC 2140, 2160.7, 3044.1, 3075; AGO NS5350)

(a)

(a) Incorporation of Dept. Bul. 372-B.